

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

2 March 2021

MINUTES AND 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 (via MS Teams):

Mr R Bremner, Mrs I Campbell, Ms K Currie, Mr C Fraser, Mr R Gale (excluding item 5.12), Mr J Gordon, Mr D MacKay, Mrs A MacLean, Mr C Macleod, Mr D Macleod, Mrs M Paterson, Mr K Rosie, Mr A Sinclair (from item 5.1) and Ms M Morley-Smith (**Chair**)

Substitutes:

None

Other Members Present:

Mr G Adam (items 5.1 – 5.4)
Dr I Cockburn (item 5.11 – 5.12)
Mr G Mackenzie (items 5.1 – 5.4 and 5.11 – 5.12)
Mr D Macpherson (items 5.1 – 5.3)
Mr H Morrison (items 5.1 – 5.4)
Mrs T Robertson (items 5.1 – 5.4)

Officers Participating:

Dafydd Jones – Acting Head of Development Management – Highland
Julie Ferguson (JF) – Team Leader
Mark Harvey (MH) – Team Leader
Simon Hindson (SH) – Team Leader
Erica McArthur (EM) – Principal Planner
Gillian Pearson (GP) – Principal Planner
Graham Sharp (GS) – Planner
Mark Ripley (MR) – Graduate Planner

Richard Gerring, Integrated Transport Manager
Jane Bridge, Senior Engineer (Development Management)
Karen Lyons – Principal Solicitor (Planning) and Clerk
Alison MacArthur – Administrative Assistant

Guests:

None

ITEM NO	DECISION	ACTION
1.	Apologies for Absence Leisgeulan	
	Apologies for absence were intimated on behalf of Mr M Finlayson and Mr A Rhind.	N/A
2.	Declarations of Interest Foillseachaidhean Com-pàirt	
	Item 5.4 – Mrs I Campbell (non-financial). Item 5.9 – Mr D Mackay (non-financial)	N/A
3.	Confirmation of Minutes Dearbhadh a’ Gheàrr-chunntais	
	<p>There had been submitted for confirmation as a correct record the minutes of the meeting of the Committee held on 26 January 2021 which were APPROVED.</p> <p>Statement by Chair: Members will be aware that I have received a request to revoke the planning permission granted at our last meeting to Mr and Mrs H Morgan for the Erection of a house at Land 70 m south west of Lochbay House, Stein, Waternish. The decision is reported at item 6.3 of the minute of our meeting. The request come from Stein Conservation Area and I have passed this to Malcolm Macleod, the Council’s Executive Chief Officer for Infrastructure and the Environment to investigate and respond. I will request that the response is circulated to all NPAC members once it has been issued. If there are any matters arising from the response, Councillors should contact Malcolm in the first instance. I am conscious that Councillors – particularly the Skye members – may also be receiving correspondence direct from Stein Conservation Area and members of the Stein community. While it is up to each Councillor how they wish to respond, you may wish to hold off responding in detail until Malcolm’s response is known.</p> <p>Following committee meetings, there has been an increase in contact from members of the public when the decision on a planning application has not been the one that they’d hoped for. I wish to remind members of the public that Councillors appointed to the planning applications committees often have to take difficult decisions about the way in which they wish to see their communities develop. Knowing that an application is compliant with policy but has received significant local objection or knowing that an application has divided a close-knit community are tough applications to determine. Councillors make these decisions knowing that, whatever the outcome, the decision won’t please everybody. Councillors undertake planning training to assist them to carry out their duties and many of them have accumulated significant experience of doing so. My own experience extends to 14 years of being a member and then chair of the North Planning Applications Committee.</p>	N/A

	<p>In respect of each planning application reported to committee, Councillors will read the officer's report in advance of the committee meeting and each Councillor will carry out their own assessment of the application against policy and take into account material planning considerations. We don't share that assessment with anyone until the application is debated at the meeting. We listen to what the local member has to say but we are not required to vote the same way as the local member. The process is democratic. When we decide whether to grant or refuse planning permission, we do so without fear or favour.</p> <p>I encourage members of the planning applications committee to remain committed to this important role and not to lose heart when contacted by parties disappointed with the outcome of the democratic process.</p>	
4.	<p>Major Development Update Iarrtasán Mòra</p>	
	<p>The Acting Head of Development Management – Highland updated Members as to applications not included in the report, as follows:-</p> <p>On a question on application 20/00539 for 41 house plots in Avoch, the Acting Head of Development Management – Highland stated that the application was in process with further information awaited. The application would be brought forward when it was ready, and this was not dependent on the outcome of work being undertaken by Transport Scotland on the Munloch junction.</p>	DJ/SH
5.	<p>Planning Applications to be Determined Iarrtasán Dealbhaidh rin Dearbhadh</p>	
5.1	<p>Applicant: Mr D MacDonald (20/03497/FUL) (PLN/012/21) Location: Land 15 m NW of Lower Flat, Hill House, Stormy Hill Road, Portree (Ward 10). Nature of Development: Change of use of first floor to class 9 residential and alterations to the building. Recommendation: Refuse.</p>	
	<p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> • Most of the buildings on this street have on street parking. The issue is rather whether the application creates an additional demand for on street parking and this is the problem with this specific building. We have to take each case on its merits and once two cars are parked in front of the building it creates a loss of visibility between the two junctions and causes vehicles to be pushed to the wrong side of the road. Although normally happy to support commercial and mixed developments with on street parking, this application creates an unacceptable reduction in road safety. • This was the wrong place to put a big window, if light was needed there are other options for the windows which wouldn't so specifically touch on the sensitive relationship between the two garden areas. 	MH/Chris Hallas

- Jane Bridge stated that reverse parking off a road was accepted on minor roads, but this site was in proximity to a junction and this was a very constrained space and was therefore not an appropriate place for on street parking.
- A retail use of this space would create the need for two parking spaces and the residential use will add additional parking space demand on top of the existing retail use.
- The area of land beside the house could not be used for parking as the applicant only owned a small portion of this land. Any use of this area would still require manoeuvring of a vehicle to park.

During debate the following views were expressed:

- Stormy Hill was an important part of the village. The grocery shop had been much loved for over 70 years and was close to the town centre where there was ample parking.
- Across the Council we had been working towards helping our small towns and villages. The town centre had been affected by changes in shopping habits.
- There was a demand for accommodation in the village.
- Although sympathetic with other views, in relation to the HwLDP, Policy 28 sustainable design, Policy 29 design quality and placemaking and Policy 34 settlement development areas and could understand why local Members would want to convert this building, but this does not meet the basic criteria. The overdevelopment of the site and the unacceptable low level of amenity for future occupants. The local Members' comments regarding parking, namely, that there wouldn't be much parking outside the property, but at night when everyone is parked at home there would be difficulties at the junction. There is an opportunity for the applicant to come back and to meet the minimum standards of our policies and guidelines.
- We have encouraged this kind of accommodation over shops in towns with parking elsewhere in the town.
- We really do not want buildings remaining empty in our towns, we want sustainable buildings.

Motion: by Mr J Gordon seconded by Mrs I Campbell to grant planning permission, subject to appropriate planning conditions for the following reasons:

This building had significant importance to Portree, it has been a grocery shop for over 70 years and was close to the Town centre where there was ample parking.

The proposal reflects the aspirations of Portree Town Centre by renovating an existing building to create a self-contained residential unit. Together with the proposal to change the ground floor into a hairdressing salon, this means that the building will be fully utilized and avoid it lying vacant. Regeneration of our commercial centres is vital in the recovery from the pandemic and diversification is a means by which to achieve this. In the historic, central parts of the village which have good links to public transport and parking, I do not feel that failure to provide off street

	<p>parking in the curtilage of the application site should be a reason to refuse permission.</p> <p>It is a feature of town centre living, in particular “living above the shop”, that the amenity space available to occupants is likely to be less than that available in new build residential units. In my opinion, any negative impacts caused by the development are offset by the positive impacts of the re-use of the property. On balance I am satisfied that the proposed development accords with policies 28, 29 and 34 of the HWLDP as it will contribute to the economic and social development of the community and any adverse impacts will not be significantly detrimental. For these reasons I believe that the application should be approved, subject to any conditions that the Planning Service consider to be appropriate.</p> <p>Amendment: by Ms Morley-Smith seconded by Mrs A Maclean to refuse planning permission in accordance with the recommendation contained in the report of handling.</p> <p>Vote: Motion – 7 (Mrs I Campbell, Mr J Gordon, Mr D Mackay, Mr C MacLeod, Mr D MacLeod Mrs M Paterson and Mr K Rosie) Amendment – 7 (Mr R Bremner, Mrs K Currie, Mr C Fraser, Mr R Gale, Mrs A MacLean, Mr A Sinclair and Ms M Morley-Smith) 7 votes motion to 7 for amendment. The Chair’s casting vote was for the Amendment.</p> <p>AGREED to: REFUSE the application for the reasons given in the report of handling.</p>	
5.2	<p>Applicant: Community Out West Trust (20/03514/FUL) (PLN/013/21) Location: Kinlochewe Public Toilets, Slioch Terrace, Kinlochewe (Ward 5). Nature of Development: Demolition of existing and erection of public toilet/shower building with community room, alterations to car park layout and installation of chemical waste disposal point for camper use Recommendation: Grant.</p>	
	<p>In answer to Members’ questions, the Planner advised:</p> <ul style="list-style-type: none"> • SEPA initially asked for a condition preventing overnight use of the car park, but this condition was not considered to be competent as it could not be enforced. • The reason SEPA initially sought no permission for overnight camping was because, should there be a sudden rise in water levels overnight, vehicle occupants would, most likely, not be aware of it. During the day people were more likely to be awake and alert should there be any flooding problems. • It is proposed to attach a condition asking for signage to warn people of the danger of parking in this area overnight due to the flooding risk, if they continued to park contrary to the instructions on the sign it would be at their own risk. • Moving of the 5 spaces nearer the houses at Slioch Terrace had been mitigated with planting and improved landscaping. <p>During debate the following views were expressed:</p>	GS

	<ul style="list-style-type: none"> • Campervan waste disposal was urgently needed and very sought after across many areas with the increase in visitors to the Highlands. The Trust had seen a requirement for these facilities and were to be commended for finding a solution. <p>Agreed: to GRANT planning permission subject to the conditions listed in the report of handling.</p>	
5.3	<p>Applicant: A A and D Fraser Ltd, per Kearnico Consulting Ltd (20/03690/FUL) (PLN/014/21)</p> <p>Location: Pitgrudy Sand and Gravel Pit, Dornoch, IV25 3NB (Ward 4).</p> <p>Nature of Development: Extract and primary process sand and gravel, process construction and demolition waste.</p> <p>Recommendation: Grant.</p>	
	<p>In answer to Members' questions, the Principal Planner advised:</p> <ul style="list-style-type: none"> • In terms of restoration the onus is on the owner or operator and the intention of the Section 75 is to secure this. The Section 75 secures a bond and the bond would be used, if for whatever the reason, the owner was unable to reinstate the area. <p>Agreed: to GRANT planning permission subject to the conditions listed in the report of handling and the prior conclusion of a Section 75 Obligation or an appropriate legal mechanism to secure a bond for the restoration of the quarry.</p>	GP
5.4	<p>Applicant: Lochalsh and Skye Housing Association (20/03834/S42) (PLN/015/21)</p> <p>Location: Land 85 m South of Boreraig Place, Broadford (Ward 10).</p> <p>Nature of Development: 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.</p> <p>Recommendation: Refuse.</p> <p>Declaration of Interest: Mrs I Campbell as a Member of Lochalsh and Skye Housing Association and left the meeting during consideration of this item.</p>	SH
	<p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> • The applicant had put forward the application as they did not consider the conditions were required and the conditions did have an impact on the viability of the development. If the conditions were accepted there would be much poorer connections for active and sustainable travel for this and the previous development. There are cost implications for any infrastructure and this, in the Service's view, is a cost of developing this site. If the non-compliance with the conditions was approved today there would be fewer bus stops with the existing, on request, bus stops remaining. If this was approved today, bus stops would, potentially, have to be provided by the Council or Transport Scotland. The pedestrian crossing would provide safer road crossing on a busy road. The specification for the pavements to the school had been reduced so the pavements could easily be removed when the school is 	SH

	<p>replaced with the new school, thus helping to reduce developer costs.</p> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • It was a concern that when conditions are placed on an application the applicant then applies to have them removed. • Both Transport Planning and Transport Scotland objected to the removal of these conditions, it is necessary to make sure adequate transport links and suitable pedestrian facilities are available. • Paths and crossings suitable for all have to be provided and the onus should not lie with the Council to do so. <p>Motion: by Mr R Bremner seconded by Ms M Morley-Smith to refuse planning permission for the reasons given.</p> <p>Amendment: None</p> <p>Agreed: to REFUSE the application for the reasons contained in the report of handling.</p>	
5.5	<p>Applicant: Mrs S Brown (20/04158/FUL) (PLN/016/21)</p> <p>Location: Land 70M NW of House of Shannon, Wester Templands, Fortrose (Ward 9).</p> <p>Nature of Development: Formation of access (amendment to planning permission 18/02562/PIP - formation of house site)</p> <p>Recommendation: Grant.</p>	
	<p>The Team Leader advised of additional conditions since the report was written including:</p> <ol style="list-style-type: none"> 1. The development shall be constructed in accordance with The Highland Council's Access to Single Houses and Small Housing Developments guidelines and the attached Access Schedule (dated 02.03.2021), with: <ul style="list-style-type: none"> i. the junction formed to comply with drawing ref. SDB1; ii. visibility splays of 2.4m x 120m (the X dimension and Y dimension respectively) in each direction formed from the centre line of the junction; and iii. a 300m culvert shall be installed over the roadside ditch <p>Within the stated visibility splays, at no time shall anything obscure visibility between a driver's eye height of 1.05 m positioned at the X dimension and an object height of 0.60m anywhere along the Y dimension.</p> <p>Reason: In the interests of road safety</p> 2. No development or ground preparation works shall commence until such time as an Approval of Reserved Matters or full planning permission is granted for the associated house site approved in principle under 18/02562/PIP 	JF/EMcA

	<p>Reason: As this consent is granted to serve the house site approved in principle only and no associated development can commence until such time as full permission is granted for that development to proceed.</p> <p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> • Each application was determined on its own merits so this would not be setting a precedent. A Roads Inspector had been to the site and had accepted the road layout. The Team Leader did not consider a traffic survey was necessary. • Ms J Bridge stated that although the speed limit was deregulated, in this instance the visibility that had been approved was the same as the visibility for the previous access, giving more visibility therefore it was not considered appropriate to require a speed restriction in this instance. <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • Always concerned about road safety and pleased to see conditions in relation to road safety. • The access should be constructed to standard before the houses came back for approval. <p>Agreed: to GRANT planning permission subject to the condition contained in the report of handling.</p>	
5.6	<p>Applicant: A and P Grewar (20/04308/FUL) (PLN/017/21) Location: Taeblair Munloch, IV8 8NZ (Ward 9). Nature of Development: Erection of grain store building. Recommendation: Grant.</p>	
	<p>The Principal Planner advised that further emails to Members from objectors raised no concerns that had not already been addressed in the report.</p> <p>In answer to Members' questions, the Principal Planner advised:</p> <ul style="list-style-type: none"> • Any matters to do with the biomass boilers were outwith the scope of this application. If there are ongoing concerns the community need to raise these directly with Environmental Health who would investigate these matters. • The applicant has stated that there would be a reduction in the produce transported to the site due to the storage available within the site from the new development. • Ms J Bridge advised that there was a requirement for servicing the agricultural land, the vehicles and lorries had got larger, but this development would reduce movements during harvest time. • The operational plan was the subject of a condition however the plan had not yet been seen. • There are permitted development rights for agricultural buildings which are due to change shortly. One of the criteria that triggers a planning application is the proximity of the proposed development to the public road. The reason for building on this site would be for agricultural purposes. 	EMcA

During debate the following views were expressed:

- Responses from Community Councils are taken on board when they relate to planning applications. There were serious concerns on road safety grounds for cyclists, horses and their riders.
- This was a working farm and it was important to think post Covid, post Brexit and the need to diversify. Whilst taking into account how people feel nearby, there was faith in Transport Planning and belief that there would not be an increased amount of traffic.
- This would help this farm business reduce the number of vehicles using the road and members expressed support for the farming industry.

Mr Fraser stated that since he had been on this committee, when considering applications, he took notice and gave weight to the responses from community councils and objectors/supporters when these comments amount to material planning considerations. Having read and reread the application and comments on the e-planning portal he agreed with the reasons given for their objections and that of the community council. He acknowledged that the report is well written with many of the objections being mitigated by way of condition.

Motion: by Mr C Fraser seconded by Mrs M Paterson to refuse planning permission as he believed that the application conflicts with the Highland wide Local Development Plan (HwLDP), for the following reasons:

I acknowledge that the application proposes an agricultural building in the countryside therefore the key policy against which it requires to be assessed is Policy 36 of the HwLDP. I have noted the officer's assessment of the application against this and other relevant policies of the HwLDP, in particular policies 28 and 72 however I have concluded that the application should be refused for the following reasons:

I consider that the proposed development is inappropriate for this location due to the size and mass of the proposed building near to residential properties and the traffic movements associated with the use of the building as a grain store. I do not feel that the passing places proposed and secured by condition 2 are sufficient to mitigate the impact of traffic associated with the development. For these reasons, I am of the opinion that the proposed development will be significantly detrimental to the individual and community residential amenity of nearby householders and users of the roads between the application site and the Tore roundabout and therefore the proposed development should be considered contrary to Policy 28 (Sustainable Design) of the HwLDP. In addition, given the terms of policy 72, I am not satisfied with noise arising from the proposed use of the building being the subject of a noise impact assessment secured by a condition.

Amendment: by Ms M Morley-Smith seconded by Mrs A MacLean to grant planning permission in accordance with the recommendation contained in the report of handling.

Vote:

Motion – 2 (Mr C Fraser and Mrs M Paterson)

Amendment – 12 (Mr R Bremner, Mrs I Campbell, Ms K Currie, Mr R

	<p>Gale, Mr J Gordon, Mr D Mackay, Mrs A Maclean, Mr C MacLeod, Mr D MacLeod, Mr K Rosie, Mr A Sinclair, Ms M Morley-Smith)</p> <p>Abstain – 0</p> <p>Motion carried 12 votes to 2.</p> <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling.</p>	
5.7	<p>Applicant: Ben Aketil Wind Energy Ltd (20/04369/S42) (PLN/018/21)</p> <p>Location: Ben Aketil Extension Wind Farm, Land 900 m North of Ben Aketil, Edinbane (Ward 10).</p> <p>Nature of Development: Ben Aketil Wind Farm - Application to carry out development otherwise than in accordance with conditions 2, 16, 19, 20 and 21 of permission (ref 09/00115/FULSL).</p> <p>Recommendation: Grant.</p>	
	<p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> • The general operation of the windfarm would not change. Any cumulative noise impact would be monitored and managed through condition. To date there had been no noise complaints from the community for Ben Aketil. • At Item 7.2 the Report should state that Skeabost and District Community Council did not respond to the consultation on the application. • In relation to noise it was explained that once windfarms are consented there may be a difference between the candidate model in the assessment and the model procured by the applicant. The final model of turbine that would have been secured by condition. Here the revised conditions have ensured consistency on the noise monitoring across the two developments once the windfarms have been erected. <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • Content with both this and the following report and the proposals. These windfarms were within a popular walking area with paths created by the windfarms and Members were content to grant. <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling and the modification of the existing s75 planning obligation.</p>	SH / CF
5.8	<p>Applicant: Ben Aketil Wind Energy Ltd (20/04370/S42) (PLN/019/21)</p> <p>Location: Ben Aketil Wind Farm, Land at Monadh Choishleader, Edinbane (Ward 10).</p> <p>Nature of Development: Ben Aketil Wind Farm - Application to carry out development otherwise than in accordance with conditions 1, 4, 13 and 19 and 20 of permission (ref 02/0000275/FULSL).</p> <p>Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling and the modification of the existing s75 planning obligation.</p>	SH / CF

5.9	<p>Applicant: Infinergy Limited (20/04917/FUL) (PLN/020/21) Location: Land 2200 m SW of Broubster Cottage, Shebster, Thurso (Ward 2). Nature of Development: Installation of an 80 m tall anemometer mast and associated solar array power unit. Recommendation: Grant.</p>	
	<p>Declaration of Interest: Mr D Mackay declared a non-financial interest in this application and left during determination of this item.</p> <p>In answer to Members' questions, the Graduate Planner advised:</p> <ul style="list-style-type: none"> • The mast would be removed and the ground would be restored immediately after the 36 month period. • This application was only concerned with the anemometer mast and had no bearing on any application for a windfarm. <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • Happy to grant in terms of the recommendation, Caithness West Community Council should know that in terms of this item there is no reason to refuse. • There had been many direct public representations that had been received by Members and that could not be commented on. Many of the points raised were those raised by Caithness West Community Council. <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling.</p>	MR
5.10	<p>Applicant: WHP Ltd and Scottish Futures Trust (20/04970/FUL) (PLN/021/21) Location: Land 375 m NW of Clashnastruag, 257 Tubeg, Skerray (Ward 1). Nature of Development: Installation of a 10 m high timber-clad monopole mast with 3 antennae on a concrete foundation and 2 equipment cabinets at 1.6 m and 1.3 m in height all set within a 7.5 m x 10.0 m compound enclosed by a 1.2 m wood fence. Recommendation: Grant.</p>	
	<p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • The community has waited a long time for this so very keen to see this progress. Having carefully read the objections, this pole would vastly improve connectivity in the area and the pole was not seen to be obtrusive or very visible. <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling.</p>	GP
5.11	<p>Applicant: Highland Housing Alliance (20/03812/FUL) (PLN/022/21) Location: Phase 2, St Andrews Road, Dingwall (Ward 8). Nature of Development: Erection of 34 housing units (14 houses and 20 flats).</p>	

	<p>Recommendation: Grant.</p> <p>The Team Leader advised of various updates since the report was written including: Section 75 Agreement to include at least 25% affordable housing provision, therefore Condition 22 requiring all development to be affordable housing to be deleted. Condition 2 - The cut off ditches along the site boundaries shall be installed at the commencement of development. Condition 6 - The surface water drainage system shall be installed in accordance with the approved details.</p> <p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> • The soil would be moved within the steeply sloping site, and not removed from the site. • The Dingwall Traffic Model had been rerun and had shown that if this section of road was completed, contrary to expectation, there would be a positive impact on Tulloch Castle Drive. • Traffic calming and a pelican crossing had been installed on Tulloch Castle Drive, part of the intention was to discourage use for people who did not need to use this road. • Active travel proposals with a more direct access route – both shorter and more attractive and suitable for walking together. As a Council we promote active travel to every school. • There were to be two multi-use games areas within the western section of the site but this site was too restrictive to accommodate the games areas and these would be sited elsewhere. • The access link path would be in before the flats were developed. • The contributions set out in the papers are in accordance with our supplementary guidance, we are unable to seek more than was in our guidance. • Combined sewers are the older sewers and it is standard practice for Scottish Water not to accept any more surface water into these older sewers, dealing with any water run off within the site by SUDS. • At St Andrews Road turning off Old Evanton Road, a turning point for buses had been provided opposite the entrance to St Andrews Road during the previous phase of this development. • The developers had recently undertaken soil investigation. Additional information had been provided for the Flood Risk Management Team and they are satisfied with the final details being signed off through condition. • Other developments in Dingwall North had been asked for confirmation of an agreement for provision of water supply and drainage with Scottish Water prior to development commencing and this could be conditioned. • Highland Housing Alliance provided mid-market rents. Some houses are to be managed by the Highland Housing Alliance and some are to be managed by Highland Council. All the houses would be affordable in the terms of the Council's policy. • The developer contribution is paid by the applicant. • As regards a footpath link to MacBeth Court, the developer had 	<p>JF</p>
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	<p>indicated this wasn't within their control as they do not own this land but they are prepared to investigate it without being tied to condition (in the event that they cannot deliver it).</p> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • This had been a difficult area to develop with the lie of the land, people's expectations and the roads. Houses were desperately needed in Dingwall and more houses were welcomed. • Welcomed the pedestrian access path to enable children to walk to school safely. • Despite complaints from various people there was still no 20 mph speed limit on Old Evanton Road. • Protection of the trees is also welcomed. <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling as updated and the prior conclusion of a Section 75 Obligation including 25% provision of affordable housing and to secure developer contributions, amendments to condition 8 regarding footpath link to MacBeth Court and an additional condition requiring evidence of an agreement with Scottish Water prior to development commencing.</p>	
5.12	<p>Applicant: Kishorn Port Limited (20/03543/S42) (PLN/023/21) Location: Land to SW of Drydock, Kishorn (Ward 5). Nature of Development: Application for non-compliance with condition 1 of Planning Permission 18/05057/S42 to permit the de-commissioning of shipping vessels. Recommendation: Grant.</p>	
	<p>In answer to Members' questions, the Team Leader advised:</p> <ul style="list-style-type: none"> • Conditions had been put in place to safeguard the local road network from increased road use with appropriate mitigation. • In terms of the previous consents similar safeguards for the local road network had been put in place then but with no specific financial contributions. Upgrades to the road network had been required and had been completed. • In relation to previous breaking of shipping vessels, the applicant had undertaken work that had fed into the application and the dry dock which was the subject of a separate report to come to the committee later. This gave a baseline of information which allowed some of the studies that had been undertaken on this application, for example the amount of waste materials removed by sea and removed by road. • In terms of HSE's comments they have a web tool where the Council put in the boundary of the application and this tool then considers whether there are any dangerous substances or dangerous facilities in the register and if nothing appears HSE have no further interest in that application. There are no hazardous substance issues in the vicinity so they are no longer involved. Any hazardous substance issues in relation to the breaking up of a ship would be dealt with by SEPA. • A Marine User Liaison and Mitigation Action Plan would be secured through condition, and the liaison group would be a forum 	SH / CF

	<p>to discuss these issues going forward. There would be separate issues related to the moorings going forward but these would be dealt with by marine licence and Marine Scotland.</p> <ul style="list-style-type: none"> • As this was a section 42 application there was no formal requirement to undertake community consultation but there had been a level of discussion through the liaison group. <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> • This is a variation of condition 1 for the decommissioning of redundant offshore energy and marine sector structures to include the decommissioning of shipping vessels within the dry dock. There were no objections from Transport Planning, HSE, Marine Scotland, MOD, Nature Scotland or SEPA. Marine Scotland are the regulatory authority for vessel structures moored within a sea loch so they will deal with the licence. The licence is not a planning permission. • As a member of the local Liaison Group with local Community Councils the Group would address the noise in their agenda at every meeting. • No additional lighting at night except that already required for health and safety and a management plan was proposed to minimise this on vessels. • This development would bring economic benefit to the wider economy. <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling and the modifications to conditions 4 and 8 as presented to Members during the presentation.</p>	
	<p>The meeting finished at 16:20.</p>	