

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

25 JANUARY 2022

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, Mr R Gale, Mr J Gordon, Mr D MacKay, Mrs A MacLean, Mr C Macleod, Mr H Morrison, Mr K Rosie, Mr A Rhind, Mr A Sinclair and Ms M Morley-Smith (Chair)

Substitutes Present:

Mr A Mackinnon (for Mrs M Paterson) (except items 1-5 and 6.2).

Other Members Present:

Mrs H Carmichael (for item 6.3 only).

Officers Participating:

Dafydd Jones (DJ) – Acting Head of Development Management – Highland
Simon Hindson (SH) – Team Leader – Strategic Projects Team
Mark Harvey (MH) – Team Leader
Erica McArthur (EMcA) – Principal Planner
Susan Hadfield (SH) – Planner
Michael Kordas (MK) – Planner
Craig Simms (CS) – Planner
Alan Fraser – Principal Engineer
Jane Bridge – Senior Engineer (Development Management)
Karen Lyons – Principal Solicitor (Planning) and Clerk
Alexander Fowler – Trainee Solicitor
Alison MacArthur – Administrative Assistant

The Chair advised that she would take items 6.1 and 6.3 after 1030 when Mr A Mackinnon would be in attendance as substitute member for Ward 8.

Guests:

None

ITEM NO	<u>DECISION</u>	<u>ACTION</u>
1	Apologies for Absence Leisgeulan	
	Mr M Finlayson, Mr C Fraser and Mrs M Paterson.	N/A
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	None.	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 7 December 2021 which were APPROVED .	N/A
4	Major Development Update Iartasan Mòra	
	Update on new applications received since the report was issued, current appeals and those applications coming forward in 2022. Clarification was sought on the recent announcement regarding offshore wind licenses and the overhead line requirements connected to battery storage developments. Agreed: to NOTE the report.	DJ/SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrta	
5.1	Description: Creation of an energy storage facility with a capacity of up to 49.9 mW comprising up to 50 energy storage containers, control building, transformers, switchgear and ancillary infrastructure (21/05957/PAN) (PLN/002/22) Ward: 2 Applicant: Whirlwind Energy Storage Ltd Site Address: Land 295M South Of Mill House, Stainland, Thurso.	
	Agreed: no further considerations raised.	Negar Maydanchi
6	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	

6.1	<p>Applicant: Graham MacGregor Joinery Ltd (19/04687/FUL) (PLN/003/22) Location: 3A Inchrory Drive, Business Park, Dingwall (Ward 8). Nature of Development: Erection of office/workshop building. Recommendation: Refuse.</p>	
	<p>Agreed: to notify Scottish Ministers of the Committee's proposal to GRANT planning permission subject to conditions to be approved by the local members represented on the Committee, for the reasons given by Mrs A Maclean and Mr A Mackinnon summarised as follows:</p> <ul style="list-style-type: none"> -the application site is within an existing Business Park and the proposed development is compatible with surrounding uses; -economic recovery and supporting creation of local jobs are the Council's focus moving forward out of the pandemic; -businesses have shown they want to invest in Dingwall and locate their businesses in the Business Park; -the concerns of SEPA, also based in the Business Park, are understood. Despite the requirement for flood protection being the same across all uses, the development of the site as an office/workshop is within the least vulnerable use category as defined by SEPA when the impact of flooding is considered; -while acknowledging that SEPA indicate that the existing bunding needs to be discounted, it was constructed to meet the guidance in place at the time the Business Park was developed and appears to have protected the existing units from flooding to date; -the Council in conjunction with HIE and SEPA are actively exploring options to try and resolve the future improvement and maintenance of the bund surrounding the Business Park. 	SH
6.2	<p>Applicant: Mr Archie and Mrs Sandra Macnab (20/04204/PIP) (PLN/004/22) Location: Land 40 m West of Torwood, Blairninich, Strathpeffer (Ward 5). Nature of Development: Erection of a house. Recommendation: Refuse.</p>	
	<p>Motion by Ms M Morley-Smith seconded by Mrs A Maclean to refuse the application for the reasons given in the report of handling and to encourage the Planning Service to engage with the applicants to try and find a solution.</p> <p>Amendment by Mrs I Campbell seconded by Mr J Gordon to grant the application subject to conditions to be approved by the local member (Mrs I Campbell) and the upfront payment of the contribution referred to in the report of handling on the basis of the following reasons:</p> <ul style="list-style-type: none"> -The proposed house is for a retiring crofter and it is located close to existing housing, the application only just falls out with of the Council's development plan rural housing policy. -Because previous house sites have been de-crofted, it appears this croft is operating as a bare land croft - one without a house on it. A crofter has the right to build a house on their croft subject to planning permission being granted. -Crofting usually involves land being used for a diverse number of uses. If 	MH

	<p>permission is granted for a house, then the chalet could, with the appropriate permissions, allow the applicants to continue making an income from the croft into their retirement.</p> <ul style="list-style-type: none"> -the objection from the Council's flood team is based on 1 in 200 year flood events. The report indicates "the site is potentially at risk of flooding during a severe weather event." While the distress and danger that flooding causes is not under-estimated, this response suggests that there is only a future possibility of flooding. -despite this application being contrary to the development plan, there are sufficient reasons to support the grant of the application. -a condition limiting the size of house to reflect the applicants' desire for a retirement property could be attached to the planning permission in principle. <p>Vote: Motion – 4 (Mr R Gale, Mrs A Maclean, Mr K Rosie, Ms M Morley-Smith) Amendment – 7 (Mr R Bremner, Mrs I Campbell, Mr J Gordon, Mr D Mackay, Mr C Macleod, Mr H Morrison, Mr A Rhind) Abstentions – 1 (Mr A Sinclair – due to IT issues) Amendment carried 7 votes to 4.</p> <p>Agreed: to GRANT planning permission subject to conditions to be approved by the local member (Mrs I Campbell) and the upfront payment of the contribution referred to in the report of handling on the basis of the reasons stated in Mrs I Campbell's amendment.</p>	
6.3	<p>Applicant: Fraser MacKenzie Electrical (21/01019/FUL) (PLN/005/22) Location: Land 110 m NE of 3B Inchrory Drive, Business Park, Dingwall (Ward 8). Nature of Development: Erection of commercial storage and office unit. Recommendation: Refuse.</p>	
	<p>Agreed: to notify Scottish Ministers of the Committee's proposal to GRANT planning permission subject to conditions to be approved by the local members represented on the Committee, for the reasons given by Mrs A Maclean and Mr A Mackinnon summarised as follows:</p> <ul style="list-style-type: none"> -the application site is within an existing Business Park and the proposed development is compatible with surrounding uses; -economic recovery and supporting creation of local jobs are the Council's focus moving forward out of the pandemic; -businesses have shown they want to invest in Dingwall and locate their businesses in the Business Park; -the concerns of SEPA, also based in the Business Park, are understood. Despite the requirement for flood protection being the same across all uses, the development of the site as a commercial storage and office unit is within the least vulnerable use category as defined by SEPA when the impact of flooding is considered; -while acknowledging that SEPA indicate that the existing bunding needs to be discounted, it was constructed to meet the guidance in place at the time the Business Park was developed and appears to have protected the existing units from flooding to date; -the Council in conjunction with HIE and SEPA are actively exploring 	SH

	options to try and resolve the future improvement and maintenance of the bund surrounding the Business Park.	
6.4	Applicant: Jacqueline Morrison (21/02619/FUL) (PLN/006/22) Location: Land 185 m North of Unit 1C Market Place, Portree (Ward 10). Nature of Development: Siting of a catering trailer. Recommendation: Refuse.	
	<p>Members were advised that, if the Committee proposed to grant planning permission it would require to be notified to Scottish Ministers given that an objection had been received from Transport Scotland.</p> <p>Motion by Mr J Gordon seconded by Mr C Macleod to grant the application subject to conditions to be approved by the local members (Mr J Gordon and Mr C Macleod) on the basis of the following reasons:</p> <ul style="list-style-type: none"> • the proposed development is to be accessed from a stretch of the A87 trunk road that is subject to a 40mph speed restriction; • the application site is the cattle mart car park in Portree which has a history of a catering trailer being sited there and the car park is only well used during cattle sales; • with some limited marking out of vehicle parking spaces, the site could be managed in such a way as to minimise risk both to those using the trunk road and those visiting the catering trailer; • the siting of the trailer would have no detrimental negative impact on the surrounding area; • approval of developments such as this one promotes economic development and are welcomed by the travelling public visiting the island; • a temporary permission for 3 years could assess the effectiveness of conditions (including parking management). <p>Amendment by Ms M Morley-Smith to refuse the application for the reasons given in the report of handling failed to obtain a seconder and fell.</p> <p>Agreed: to notify Scottish Ministers of the Committee's proposal to GRANT planning permission subject to conditions (including granting permission for a temporary period of 3 years) to be approved by the local members (Mr J Gordon and Mr C Macleod).</p>	Chris Hallas
6.5	Applicant: Margaret Grigor (21/02630/PIP) (PLN/007/22) Location: Land to South of Roch-Ach, Cemetery Brae, Avoch (Ward 9). Nature of Development: Erection of a house and formation of an access. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report and the upfront payment of a primary education contribution.	CS
6.6	Applicant: Mr H Anderson (21/03429/FUL) (PLN/008/22) Location: 312 Hilton, Dornoch (Ward 4). Nature of Development: Siting of holiday letting unit. Recommendation: Grant.	

	Agreed: to GRANT planning permission subject to the conditions contained in the report.	DJ/David Borland
6.7	Applicant: The Highland Council Housing (21/03683/PIP) (PLN/009/22) Location: Land 370 m NE of Cromlet House, Cromlet Drive, Invergordon (Ward 6). Nature of Development: Erection of 93 residential units, access roads, landscaping and ancillary infrastructure. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report (amended conditions 2, 6 and 17 to be agreed with local member, Ms M Morley-Smith) and the upfront payment of the developer contribution referred to in the report of handling.	MK
6.8	Applicant: The Highland Council Housing (21/03684/FUL) (PLN/010/22) Location: Land 370 m NE of Cromlet House, Cromlet Drive, Invergordon (Ward 6). Nature of Development: Residential development comprising 35 units, access, roads, landscaping and ancillary infrastructure (Phase 1 of Cromlet masterplan). Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report and upfront payment of the developer contribution related to this part of the masterplan development referred to in the report of handling.	MK
6.9	Applicant: Scottish Mountaineering Club (21/04667/PIP) (PLN/011/22) Location: Land 80 m NE of Dipin, Annat, Torridon (Ward 5). Nature of Development: Erection of new bunkhouse and meeting area, with parking and drainage arrangements. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report.	EMcA
6.10	Applicant: Mr G Andrew (21/04707/FUL) (PLN/012/22) Location: Land 35 m SE of 56 Feddon Hill, Feddon Hill, Fortrose (Ward 9). Nature of Development: Erection of house. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report.	MK
7	Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division (PP 149 - 180) Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir	
7.1	Applicant: Ms Eve Wilder (21/00246/ENF) (ENA-270-2038) Location: Land 90 m South West of Birchwood Lodge, Migdale, Bonar Bridge, IV24 3AR (Ward 1)	

	Nature of Enforcement: the unauthorised erection of a dwelling house without the required planning permission.	
	Agreed: to NOTE the decision of the Reporter to uphold the enforcement notice but allow the appeal to the extent that the terms of the notice have been varied by changing the time period for compliance to four months.	Aidan Brennan/ Claire Farmer- McEwan
7.2	Applicant: Ross Lambie (20/04824/PIP) (PPA-270-2247) Location: Land 70 m SW of Tigh Na Greine, Broadford IV49 9AS (Ward 10) Nature of Development: Planning permission in principle for a one and a half storey dwelling plot.	
	The Local Members expressed disappointment that the grant of planning permission for this and the related developments would result in the loss of a path to the Broadford River and noted that there were a number of conditions that needed to be purified prior to development commencing as this is an in principle permission. Agreed: to NOTE the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and to grant planning permission in principle subject to the conditions stated in the determination notice.	Chris Hallas
7.3	Applicant: Ross Lambie (20/04825/PIP) (PPA-270-2248) Location: Land 90 metres SW of Tigh Na Greine, Broadford, IV49 9AS (Ward 10) Nature of Development: Planning permission in principle for a one and a half storey dwelling plot.	
	Agreed: to NOTE the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and to grant planning permission in principle subject to the conditions stated in the determination notice.	Chris Hallas
7.4	Applicant: Ross Lambie (20/004826/PIP) (PPA-270-2249) Location: Land 120 m SW of Tigh Na Greine, Broadford, IV49 9AS (Ward 10) Nature of Development: Planning permission in principle for a one and a half storey dwelling plot.	
	Agreed: to NOTE the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and to grant planning permission in principle subject to the conditions stated in the determination notice.	Chris Hallas
7.5	Applicant: Energiekontor UK Ltd (20/00584/FUL) (PPA-270-2250) Location: Land at Torr Leathann, Strathrory, Ardrross, Alness, IV17 0YD (Ward 6). Nature of Development: Erection and operation of a wind farm for a period of 35 years, comprising of 7 wind turbines with a maximum blade tip height of 149.9 metres, access tracks, borrow pit, substation, control building and ancillary infrastructure.	
	The Committee was advised that the appellant has lodged a PAN in respect of this development to increase the height of turbines because of	Peter Whelan

	<p>lower wind speeds being recorded on site making the original scheme unviable.</p> <p>Agreed: to NOTE the decision of the Reporter to allow the appeal and to grant planning permission subject to the conditions listed in the decision notice.</p>	
	<p>The meeting finished at 14:48.</p>	

THE HIGHLAND COUNCIL

NORTH PLANNING APPLICATIONS COMMITTEE

15 MARCH 2022

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 (Ward 3)
Mrs I Campbell (Ward 5)
Mr R Gale (Ward 4) by VC (items 1-6.2 only)
Mr D MacKay (Ward 2) (items 14 and 5.2-7.2 only)
Mrs M Paterson (Ward 8)
Mr K Rosie (Ward 2) (items 6.4-6.6 only)
Mr A Sinclair (Ward 3) (items 6.2-7.2 only)
Ms M Smith (Ward 6)

Substitutes Present:

Mr A Mackinnon (for Mrs A MacLean) (items 1-6.3 and 6.5-7.2 only)

Other Members Present:

Mr G Adam (items 6.5 and 6.6), Mr D Louden and Ms F Robertson (both item 6.3)

Officers Participating:

Dafydd Jones (DJ) – Acting Head of Development Management – Highland
Simon Hindson (SH) – Team Leader – Strategic Projects Team
Erica McArthur (EMcA) – Principal Planner
Susan Hadfield (SHA) – Planner
Michael Kordas (MK) – Planner
Jane Bridge – Senior Engineer (Development Management)
Karen Lyons – Principal Solicitor (Planning) and Clerk
Alexander Fowler – Trainee Solicitor
Fiona MacBain – Committee Administrator

Guests:

None

ITEM NO	<u>DECISION</u>	<u>ACTION</u>
1	Apologies for Absence Leisgeulan	
	Mr M Finlayson, Mr C Fraser, Mr J Gordon, Mr H Morrison, Mrs A Maclean,	N/A

	C Macleod, Mr A Rhind	
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	Mr A Mackinnon declared a non-financial interest in respect of item 6.4	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 25 January 2022 which were APPROVED .	N/A
4	Major Development Update Iarrtasan Mòra	
	Update on new applications received since the report was issued, current appeals and those applications coming forward in 2022. There has recently been an Application under Section 42 of the Town and Country Planning (Scotland) Act for Strathrory wind farm. This will be reported in June. To update members, officers are in touch with Planning Aid Scotland to deliver planning training for members. Agreed: to NOTE the report.	SH/DJ
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrta	
5.1	Description: Cairnmore Hill Windfarm – Erection and operation of Wind Farm (22/00235/PAN) (PLN/014/22) Ward: 2 Applicant: RES Site Address: Land 1580 m SE of Schoolhouse, Forss, Thurso.	
	Agreed: no further considerations raised.	
5.2	Description: Strathrory Wind Farm – Erection and operation of a wind farm for a period of 35 years, comprising of up to 7 wind turbines, access tracks, borrow pits, substation, control building and ancillary infrastructure (22/00310/PAN) (PLN/015/22) Ward: 6 Applicant: Energiekontor UK Ltd Site Address: Land at Torr Leathann, Strathrory, Ardross, Alness.	
	Agreed: no further considerations raised.	
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	

6.1	<p>Applicant: (Broadland Properties Ltd (20/00539/FUL) (PLN/016/22) Location: Rosehaugh, South Avoch (Ward 9). Nature of Development: Formation of 39 serviced house plots (amended from 41 serviced house plots), access, drainage and open space. Recommendation: Grant.</p>	EMcA
	<p>Mr R Gale lost VC connection during this item and took no part in the determination.</p> <p>Agreed: to GRANT planning permission subject to (i) the conditions contained in the report including the revised wording for condition (1) as indicated by the case officer in her presentation and a revised wording for condition (7) to be approved by the Chair and Ward 9 Members and (ii) the prior conclusion of a section 75 agreement to secure the obligations contained in the report.</p>	
6.2	<p>Applicant: Tulloch Homes Ltd (21/03207/FUL) (PLN/017/22) Location: Land 100 m SW of Broompark, Conon Bridge (Ward 8). Nature of Development: Erection of 27 residential units with associated works. Recommendation: Approve.</p>	SH
	<p>Mr R Gale lost VC connection during this item and took no part in the determination.</p> <p>Agreed: to (I) GRANT planning permission subject to (i) the conditions contained in the report and (ii) the prior conclusion of a section 75 agreement to secure the obligations contained in the report;</p> <p>(II) send a letter to Transport Scotland and Kate Forbes MSP on behalf of the committee requesting a meeting to address improvements to the A835/B9163 junction which turns into Conon Bridge, given accidents in this vicinity; and</p> <p>(III) issue a press release on matter (II).</p>	
6.3	<p>Applicant: Mr T Austin (21/04972/FUL) (PLN/018/22) Location: Land 60 m NW of 12 Knock Shortie, Portmahomack (Ward 7). Nature of Development: Erection of three houses. Recommendation: Approve.</p>	SHA
	<p>Mr R Gale left during this item due to a continuing VC issue and took no part in the determination. Mr K Rosie joined the meeting during this item and took no part in the determination.</p> <p>The Planning Officer advised that, on P.89 (para 8.16) of the report, where it states “7 metres from the boundary”, this should read “2.6 metres from the boundary”.</p> <p>Agreed: to REFUSE the application for the following reasons: The development off Golf Road is a contained development with established boundaries. Similarly, the houses on Chapel Place form an established boundary at the rear. There are a number of houses in an elevated position above the application site. Having considered the context of the application site, Members concluded that the application site at the rear of Chapel Place is not substantial enough to provide for the proposed development resulting in overdevelopment. The development would appear</p>	

	constrained, it would not demonstrate sensitive siting and would be significantly detrimental to the individual and community residential amenity of existing residents. For these reasons it was considered that the proposed development would be contrary to policies 28 and 29 of the Highland-wide Local Development Plan.	
6.4	<p>Applicant: Firth Plumbing Heating and Roofing Ltd (21/05232/PIP) (PLN/019/22)</p> <p>Location: 1 and 3 Blairnaparc Road, Dingwall Business Park, Dingwall (Ward 8).</p> <p>Nature of Development: Erection of office and workshop building, installation of storage unit and associated parking arrangements.</p> <p>Recommendation: Refuse.</p>	SH
	<p>Mr A Mackinnon had declared an interest in this item and took no part in the determination.</p> <p>Agreed: to NOTIFY Scottish Ministers of the Committee's proposal to GRANT planning permission subject to conditions to be approved by the local members represented on the Committee, for the following reasons given by Mrs M Paterson:</p> <p>The application site is within the existing business park and the proposed development is compatible with the surrounding uses. As we move out of the pandemic we are very aware that the economy has to recover and this is very high on the Council's agenda. It is very important that we support opportunities for local jobs. Businesses have shown that they want to locate in the business park in Dingwall and, as a Council, we should welcome their investment. SEPA indicates that the existing bunding needs to be discounted - it was constructed to meet guidance that was in place when the business park was developed and appears to have protected the existing units from flooding to date. The Council along with HIE and SEPA are exploring further options for improvement and maintenance of the bund around the business park. The development of the site as an office building is within the least vulnerable use category as defined by SEPA when the impact of flooding is considered and therefore the development should be supported.</p>	
6.5	<p>Applicant: Mr B Adams (21/05554/FUL) (PLN/020/22)</p> <p>Location: Land 35 m SE of Site 2, Avoch Industrial Estate, Avoch (Ward 9).</p> <p>Nature of Development: Erection of industrial unit (partly in retrospect).</p> <p>Recommendation: Grant.</p>	MK
	Agreed: to GRANT planning permission subject to the conditions contained in the report.	
6.6	<p>Applicant: Mr and Mrs Foran (21/05944/FUL) (PLN/021/22)</p> <p>Location: Land 85 m South of Windrill, Drumsmittal, North Kessock (Ward 9). Nature of Development: Erection of house and detached garage.</p> <p>Recommendation: Refuse.</p>	MK
	<p>Motion by Ms M Smith seconded by Mr D Mackay to grant Planning Permission for the following reasons.</p> <p>The house is considered to be infill development to an existing housing group, therefore the application is in accordance with policy 35 of the Highland-wide Local Development Plan and related Rural Housing Supplementary Guidance.</p>	

	<p>Amendment by Mr R Bremner seconded by Cllr Mackinnon to refuse the application in accordance with the recommendation contained in the report.</p> <p>Vote: Motion – 5 (Mrs I Campbell, Mr D Mackay, Mrs M Paterson, Mr A Sinclair, Ms M Smith) Amendment – 3 (Mr R Bremner, Mr K Rosie, Mr A Mackinnon) Abstain - 0 Motion carried 5 votes to 3.</p> <p>Agreed: to GRANT planning permission for the reasons set out in Cllr Smith’s motion subject to conditions to be approved by the Chair and ward 9 members.</p>	
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division (PP 149 - 180) Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
7.1	<p>Applicant: South Kilbraur Wind Farm Limited (19/04826/FUL) (PPA-270-2237) Location: Land 1,645 metres South of 43 Farlary, Rogart, Sutherland, IV28 (Ward 4) Nature of Development: Installation of up to 7 wind turbines of up to 149.9 metres tip height and ancillary infrastructure.</p>	
	<p>The Committee NOTED the decision of the Reporter to dismiss the appeal and to refuse to grant planning permission for the reasons given in the decision notice.</p>	Gillian Pearson
7.2	<p>Applicant: John Nightingale (17/03202/FUL) (PPA-270-2244) Location: Daffodil Field, Miller Road, Cromarty, IV11 8XH (Ward 9) Nature of Development: Erection of three houses and erection of garage/boathouse.</p>	
	<p>The Committee NOTED note the decision of the Reporter to dismiss the appeal and to refuse to grant planning permission for the reasons given in the decision notice.</p>	EMcA
	<p>The meeting finished at 14.58</p>	

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

26 APRIL 2022

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>

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Committee Members Present (via MS Teams):

Mr R Bremner (except items 7.9-8.1), Mrs I Campbell (except items 7.9-7.10), Mr M Finlayson (except item 7.2), Mr R Gale (except item 7.6), Mr J Gordon, Mr D MacKay, Mr C Macleod, Mr H Morrison, Mr A Rhind, Mr K Rosie, and Ms M Morley-Smith (**Chair**)

Substitutes Present:

Mr A Mackinnon

Other Members Present:

Mr I Cockburn and Mr D Louden.

Officers Participating:

Dafydd Jones (DJ) – Acting Head of Development Management – Highland
Mark Harvey (MH) – Team Leader
Simon Hindson (SH) – Team Leader – Strategic Projects Team
Gillian Pearson (GP) – Principal Planner
Claire Farmer-McEwan (CFM) – Planner
Michael Kordas (MK) – Planner
Meadhbh Maguire (MMG) – Planner
Craig Simms (CS) – Planner
Jane Bridge – Senior Engineer (Development Management)
Karen Lyons – Principal Solicitor (Planning) and Clerk
Alexander Fowler – Trainee Solicitor
Alison MacArthur – Administrative Assistant

Guests:

None

ITEM NO	<u>DECISION</u>	<u>ACTION</u>
1	Apologies for Absence Leisgeulan	
	Mr C Fraser, Mrs A Maclean, Mrs M Paterson, Mr A Sinclair.	N/A
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	Mr D Mackay in respect of item 5.1 and 7.3 Mrs I Campbell in respect of item 7.10 (Mrs I Campbell took no part in item 7.9 as the presentations were linked)	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 15 March 2022 which were APPROVED .	N/A
4	Major Development Update Iartasan Mòra	
	<p>Update on new applications received since the report was issued, current appeals and those applications coming forward in 2022.</p> <p>The Strategic Projects Team Leader updated the Committee as follows:</p> <ul style="list-style-type: none"> • A s36 application consultation has been received for Chleainsaid wind Farm (16 turbines, 12 turbines at 200m and 4 turbines at 180m, generating around 96mW). • A s36 application has been submitted to the Energy Consents Unit for Armadale Wind Farm (in Sutherland, not Skye). • Bad Fearn Wind Farm appeal has been dismissed. • South Kilbraur Wind Farm appeal decision has been appealed to the Court of Session. The Scottish Government has agreed that the decision does need to be reconsidered therefore the appeal has been re-opened. <p>The Team Leader also reminded the Committee about the “tilted balance”, presumption in favour of sustainable development.</p> <p>Agreed: to NOTE the report.</p>	DJ/SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrta	

5.1	Description: Lochend Extension Wind Farm – erection and operation of a wind farm comprising 5 wind turbines with a maximum blade tip height of 150 m and a total capacity of up to 21 mW and ancillary infrastructure. (22/00436/PAN) (PLN/023/22) Ward: 2 Applicant: CWE Lochend Limited Site Address: Land 600 m NE of 10 Lochend Holding, Barrock..	
	Agreed: no further considerations raised.	GP
5.2	Description: Battery storage facility with capacity up to 50 mW, access and associated infrastructure (22/01308/PAN) (PLN/024/22) Ward: 6 Applicant: Intelligent Land Investments Group Plc Site Address: Land at Mid Balnacraig, AIness IV17 0XL.	
	Agreed: no further considerations raised.	
6	Continued Item Cuspairean a' Leantainn	
6.1	Applicant: Mr Clarck Nussey (21/04050/PIP) (PLN/025/22) (PLN/096/21) Location: 84 East Helmsdale, Strath Road, Helmsdale, KW8 6JL (Ward 4). Nature of Development: Erection of house and formation of access. Recommendation: Grant.	
	Means of approval of, provision of and adoption of the amended turning head clarified by the Area Planning Manager – North and the Senior Engineer. Agreed: to GRANT planning permission subject to the conditions contained in the report of handling.	GP/Mark Fitzpatrick
7	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	
7.1	Applicant: REG Strath Tirry Limited (20/05067/FUL) (PLN/026/22) Location: Land 1450 m NE of Dalmichie, Lairg (Ward 1). Nature of Development: Strath Tirry Wind Farm – erection and operation of a wind farm for a period of 30 years, comprising of 4 wind turbines and a maximum blade tip height of 135 m, access tracks, borrow pits, substation, control building, meteorological mast and ancillary infrastructure. Recommendation: Refuse.	CFM
	The Planner advised that, in applications where there the development plan is 5+ years old, the tilted balance in favour of sustainable development applies. Motion by Mr H Morrison seconded by Mrs I Campbell to grant the application subject to conditions to be approved by the local member represented on the Committee (Mr H Morrison) for the following reasons: This modest proposal is considered to be well sited in the landscape and of	

	<p>an appropriate scale for the location. The application is supported by the local Lairg Community Council, there have been no objections from internal Council departments, there are no objections from bodies such as SEPA or NatureScot and there are only three local objections. It is not a controversial application locally or wider afield and the landscape impact referred to in the two suggested reasons for refusal are not considered to be unacceptable or to justify the refusal of the application. The identified landscape and visual impacts will be localised and it is relevant that there are no concerns from any consultee regarding impacts on any national interests such as National Scenic Areas or wild land areas. The proposal will make a positive contribution to reducing greenhouse gas emissions. The Community Benefit Fund and the Local Infrastructure Fund will be of great benefit locally for the duration of the proposal. Overall, the proposal is considered to comply with the principal renewable energy policy of the Highland-wide Local Development Plan, Policy 67, and the planning permission should therefore be granted.</p> <p>Amendment by Ms M Morley-Smith seconded by Mr R Bremner to refuse the application for the reasons given in the report of handling.</p> <p>Vote: Motion – 7 (Campbell, Gordon, Mackay, Mackinnon, C Macleod, Morrison, Rhind) Amendment – 5 (Bremner, Finlayson, Gale, Rosie, Smith) Abstentions – 0) Motion carried 7 votes to 5.</p> <p>Agreed: to GRANT planning permission subject to conditions to be approved by the local member represented on the Committee (Mr H Morrison).</p>	
7.2	<p>Applicant: WKN Sallachy Ltd (21/01615/FUL) (PLN/027/22) Location: Land at Sallachy Estate, Lairg (Ward 1). Nature of Development: Sallachy wind farm – erection and operation of a wind farm for a period of 30 years, comprising of 9 wind turbines with a maximum blade tip height of 149.9 m, access tracks, temporary borrow pits and construction compound, substation compound and ancillary infrastructure. Recommendation: Grant.</p>	
	<p>Mr M Finlayson left the meeting during consideration of this item and took no part in the determination of it.</p> <p>The Strategic Projects Team Leader advised that draft NPF4 could only be given limited weight in the decision-making process and clarified that, despite what is stated in Section 11 of the report, NatureScot has confirmed that this is not a notifiable application. Scottish Government had been asked by a third party to issue a direction to call in and determine the application. At the time of presenting the item to Committee, no decision had been received from Scottish Government on that request.</p> <p>The Strategic Projects Team Leader advised that, in applications where there the development plan is 5+ years old, the tilted balance in favour of</p>	SH/CFM

	<p>sustainable development applies.</p> <p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling.</p>	
7.3	<p>Applicant: Cogle Moss Renewables LLP (22/00462/S42) (PLN/028/22) Location: Land 477 m NE of Blackpark, Watten (Ward 3). Nature of Development: Application for non-compliance with condition 1 (commencement of development) and condition 13 (archaeology) of planning permission 15/02769/FUL. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions contained in the report of handling.</p>	SH
7.4	<p>Applicant: The Highland Council (21/05639/FUL) (PLN/029/22) Location: Craighill School, Craighill Terrace, Tain, IV19 1EU (Ward 7). Nature of Development: Erection of community campus including nursery, school, playgrounds, sport pitches and associated infrastructure. Recommendation: Grant.</p>	
	<p>Update condition 4 to read: “The audit shall include the areas and the approved layout drawings for conditions 12, 16, 19, 20 and 21 not 4, 5, 6 and 7 as stated in the report of handling.”</p> <p>Update condition 23 to read: “No development shall commence until a scheme for double yellow lines, including waiting and loading restriction on Craighill Terrace, has been implemented to the satisfaction of the Planning Authority, in consultation with the Road Authorities.”</p> <p>Update condition 22 to include a variety of waiting and loading restrictions.</p> <p>Delegated authority sought to make any other necessary minor modifications to the conditions subject to the agreement of the Chair of the Committee.</p> <p>Agreed: to GRANT planning permission subject to the conditions contained in the report (as amended)</p>	CFM
7.5	<p>Applicant: Mr Martin Brown (20/03725/PIP, 20/03720/PIP and 20/03722/PIP) (PLN/030/22) Location: Land to East of Smithy House, Ardross, Alness (Ward 6). Nature of Development: Formation of three house plots. Recommendation: Grant.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions contained in the report.</p> <p>Mr R Gale left the meeting after this item.</p>	MK
7.6	<p>Applicant: Mr David MacDonald (21/04622/FUL) (PLN/031/22)</p>	

	<p>Location: Land 15 m NW of Lower Flat, Hill House, Stormy Hill Road, Portree (Ward 10).</p> <p>Nature of Development: Material change of use of existing class 1 first floor to domestic class 9 residential and proposed change of use of existing ground floor shop to beauty bar.</p> <p>Recommendation: Refuse.</p>	
	<p>The Team Leader confirmed that the use of the property as a beauty bar could have operated following closure of the previous shop use without planning permission (as it is within the same use class).</p> <p>Mr R Gale returned to the meeting during consideration of this item but took no part in the determination of the application.</p> <p>Motion by Mr J Gordon seconded by Mr C Macleod to grant the application subject to conditions to be agreed with local members on the Committee for the following reasons:</p> <p>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.</p> <p>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. 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 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 flats above amenity space 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.</p> <p>Amendment by Ms M Morley-Smith to refuse the application for the reasons given in the report of handling did not receive a seconder and fell.</p> <p>Agreed: to GRANT planning permission subject to conditions to be agreed with the local members (Mr J Gordon and Mr C Macleod).</p>	<p>MH/Chris Hallas</p>
<p>7.7</p>	<p>Applicant: Mr Scott Paton (21/01171/FUL) (PLN/032/22)</p> <p>Location: Land 120 m South of Strawberry Lea, Knockbreck Gardens, Tain (Ward 7).</p> <p>Nature of Development: Erection of showroom and workshop building with associated parking. Formation of access road and service yard area.</p> <p>Recommendation: Grant.</p>	

	<p>The Principal Planner advised the Committee that there was an error in the description of the proposed development contained in the report in that allotments are not being brought forward as part of this application.</p> <p>Agreed: to GRANT planning permission subject to the conditions contained in the report.</p>	GP/Mark Fitzpatrick
7.8	<p>Applicant: Ossian Developments Ltd (21/04108/FUL) (PLN/033/22) Location: Land 50 m NW of Caberfeidh Braes, Ullapool (Ward 5) Nature of Development: Siting of 9 pods and 2 staff accommodation buildings. Recommendation: Grant.</p>	
	<p>Motion by Mrs I Campbell seconded by Bremner to refuse the application for the following reasons: I have carefully considered the reasons given in support of granting this application and note that some initial consultee objections have been overcome. However, I am persuaded by the material considerations raised by objectors to the application and in the response by the Community Council (summarised in para 4.2 and 5.1 of the report), that this is not the right location for the proposed development. I have 3 main concerns that form my reasons for opposing this application</p> <ol style="list-style-type: none"> 1. Given the dimensions of the carriageway and lack of footways along the U5065 Braes Road, development of this scale within The Braes of Ullapool would exacerbate existing road conditions to the detriment of road and pedestrian safety. It appears that the possibility of mitigation is constrained by the geometry of the Braes Road and I do not consider that the mitigation proposed by condition 5 is sufficient. 2. In addition, despite the reference to sightline improvement works in the report and no objection from Transport Scotland, I remain of the view that the geometry of the A835 trunk road in the vicinity of its junction with the Braes Road has resulted in a substandard sightline that offers poor visibility for those exiting the Braes Road onto the trunk road. I understand that it falls below Highland Council's threshold. The objections received detail the specific concerns including increased traffic volumes and speeds. These are entirely valid concerns given the current popularity of stay-cations in the north west of Scotland and the Islands - Ullapool being the departure/arrival point for the Stornoway ferry. Development of this scale within The Braes would intensify the use of this junction to the detriment of the safety of road users. It appears no mitigation is proposed to address this concern. 3. Finally, given the proposed loss of trees to allow for the development, I am of the opinion that this application would have a significant detrimental impact on the visual and residential amenity of The Braes' residents contrary to Policy 36 and Policy 28 of the Highland-wide Local Development Plan. <p>No amendment was forthcoming therefore Mrs I Campbell's motion was carried.</p>	MMG

	Agreed: to REFUSE the application for the reasons given by Mrs I Campbell in her motion.	
7.9	Applicant: The Highland Council (21/04788/FUL) (PLN/034/22) Location: Dunvegan Primary School, Colbost, Dunvegan, Isle of Skye (Ward 10). Nature of Development: Mixed use Masterplan comprising 16 residential units, primary school, outdoor sports facilities and ancillary infrastructure. Recommendation: Approve.	
	Mr R Bremner left the meeting before the start of this item. Mrs I Campbell left the meeting for the duration of items 7.9 and 7.10. Agreed: to GRANT planning permission subject to the conditions contained in the report and the upfront payment of the developer contribution referred to in the report.	SH/Alison Harvey
7.10	Applicant: Lochalsh and Skye Housing Association (21/04800/FUL) (PLN/035/22) Location: Land 90 m SE of Dunvegan Primary School, Colbost, Dunvegan (Ward 10). Nature of Development: Erection of 16 affordable housing units and access road. Recommendation: Approve.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report and the upfront payment of the developer contribution referred to in the report.	SH/Alison Harvey
7.11	Applicant: Campbell Dickson (21/05642/S42) (PLN/036/22) Location: Rosedale Hotel, Beaumont Crescent, Portree (Ward 10). Nature of Development: Application under section 42 to remove condition 1 of planning permission 21/00146/FUL. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions contained in the report.	MH
7.12	Applicant: Mr and Mrs Turner (22/00024/FUL) (PLN/037/22) Location: Land to East of 12 Drynie Park, Muir of Ord (Ward 8). Nature of Development: Erection of house and garage. Recommendation: Refuse.	
	Agreed: to REFUSE the application for the reasons contained in the report of handling.	MMG
7.13	Applicant: Kyle of Sutherland Development Trust (22/00337/FUL) (PLN/038/22) Location: Land 40 m East of South Bonar Public Toilets, Ardgay (Ward 1). Nature of Development: Construction of shelter containing wc and shower facilities, provision of services to provide serviced overnight parking and camping site. Recommendation: Refuse.	

	<p>Motion by Mr H Morrison seconded by Mr R Gale to grant the application subject to conditions to be agreed with the local Member (Mr H Morrison) and the Chair and the prior notification of the Scottish Ministers for the following reasons: Contrary to the advice received from SEPA the Committee does not accept the level of risk associated with coastal and fluvial flooding at the application site. Given the informal existing use of the application site for the use applied for, the Committee is of the view that it should be granted planning permission subject to conditions and the prior notification of Scottish Ministers.</p> <p>Amendment by Ms M Morley-Smith to refuse the application in accordance with the recommendation did not receive a seconder and therefore fell.</p> <p>Agreed: to GRANT planning permission subject to conditions to be agreed with the local Member (Mr H Morrison) and the Chair and the prior notification of the Scottish Ministers.</p>	DJ
7.14	<p>Applicant: Mr and Mrs McGlinn (21/05603/FUL) (PLN/039/22) Location: Braetongue Croft, 40 Brae Tongue, Tongue (Ward 1). Nature of Development: Erection of house and 2 holiday lodges. Recommendation: Refuse.</p>	
	<p>Mr R Gale left the meeting during the presentation for this item.</p> <p>Agreed: to REFUSE the application for the reasons contained in the report of handling.</p>	
8	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division (PP 149 - 180) Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
8.1	<p>Applicant: Energiekontor UK Ltd (20/00180/FUL) (PPA-270-2251) Location: Land at Braemore Road, Dunbeath (Ward 03) Nature of Development: Erection of 6 wind turbines with a maximum height of up to 149.9 m and associated infrastructure.</p>	
	<p>Agreed: to NOTE the decision of the Reporter to dismiss the appeal and refuse planning permission.</p>	
	<p>The meeting finished at 1820.</p>	

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

15 JUNE 2022

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:

Ms S Atkin, Mr M Baird, Mr R Bremner (except items 3-8.3), Mrs I Campbell (except items 8.1-9.4), Ms T Collier (Teams), Mr R Gale, Ms L Kraft, Mrs A Maclean, Ms J McEwan (Teams, except items 8.1 and 8.2), Mr D Millar (Chair) (except item 8.2), Mr M Reiss, Mr A Rhind (except items 8.2-9.4), Mr K Rosie (Vice Chair), Ms M Smith, Mr R Stewart (Teams)

Substitutes Present:

Mr S Kennedy (for Mrs M Paterson)

Officers Participating:

Dafydd Jones (DJ) – Acting Head of Development Management – Highland
Simon Hindson (SH) – Team Leader – Strategic Projects Team
Mark Harvey (MH) – Team Leader
Gillian Pearson (GP) – Team Leader
Mark Fitzpatrick (MF) – Planner
Jane Bridge – Senior Engineer (Development Management)
Karen Lyons – Principal Solicitor (Planning) and Clerk
Anne Macrae – Committee Administrator
Fiona MacBain – Committee Administrator
Alison MacArthur – Administrative Assistant

Guests:

None.

ITEM NO	<u>DECISION</u>	<u>ACTION</u>
1	Appointment of Chair Suidheachadh de Chathraiche	

	<p>Ms M Smith proposed by Mr M Reiss and seconded by Mrs A Maclean Mr D Millar proposed by Mr K Rosie seconded by Mrs I Campbell Votes were cast as follows: Ms M Smith – 7 votes (Ms S Atkin, Mr M Baird, Mr R Gale, Mrs A MacLean, Ms J McEwan, Mr M Reiss, and Ms M Morley-Smith) Mr D Millar – 9 votes (Mr R Bremner, Mrs I Campbell, Ms T Collier, Ms L Craft, Mr S Kennedy, Mr D Millar, Mr A Rhind, Mr K Rosie and Mr R Stewart)</p> <p>Mr D Millar appointed Chair</p>	
2	Appointment of Vice Chair Cur Iar-Chathraiche an Dreuchd	
	<p>Mr K Rosie proposed by Mrs T Collier and seconded by Mrs I Campbell</p> <p>Mr K Rosie appointed Vice Chair</p>	N/A
2A	Additional urgent item of business – Appointment of 2 members of the NPAC to the Planning Review Body	
	<p>Mrs I Campbell proposed by Mr K Rosie and seconded by Mr A Rhind Mrs M Paterson proposed by Mrs A Maclean and seconded by Mrs I Campbell (Mrs I Campbell having confirmed that Mrs M Paterson, although not present at the meeting, was willing to be a member of the PRB)</p> <p>Mrs I Campbell and Mrs M Paterson appointed members of the PRB</p>	
3	Apologies for Absence Leisgeulan	
	Mrs M Paterson	N/A
4	Declarations of Interest Foillseachaidhean Com-pàirt	
	<p>Mrs I Campbell in respect of items 8.1 and 8.2 Mr D Millar in respect of item 8.2</p>	N/A
5	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 April 2022 which were APPROVED.</p>	N/A
6	Major Development Update	

	Iartasan Mòra	
	Update on new applications received since the report was issued, current appeals and those applications coming forward in 2022 Agreed: to NOTE the report.	DJ/SH
7	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrta	
7.1	Description: Erection and operation of a hydrogen electrolyser plant, hydrogen storage, control room, access road and ancillary infrastructure (22/01584/PAN) (PLN/041/22) Ward: 4 Applicant: SSE Generation Site Address: Gordonbush Wind Farm, By Moulin Cottage, Brora, Sutherland, KW9 6LX	
	Agreed: to bring to the prospective applicant's attention the local member's request that due consideration be given to the (single track) road infrastructure in the area of the proposed development and that any increase in road traffic will require improvements to the infrastructure.	Peter Whelan
7.2	Description: Erection of a 21 mW wind farm comprising 5 Enercon E115 wind turbines rated at 4.2 mW [replace existing consent for 4 Enercon E82 wind turbines at Beinn Mheadhonach (18/03214/FUL modified by 20/04065/S42)] (22/01644/PAN) (PLN/042/22) Ward: 10 Applicant: Wind Harvest Ltd Site Address: Land 1600 m NE of Summardale Croft, Struan.	
	Agreed: no further considerations raised.	MF
7.3	Description: Mixed use development comprising up to 250 residential units, community uses, business/tourism uses, open space and ancillary infrastructure (22/01716/PAN) (PLN/043/22) Ward: 7. Applicant: Cairngorm Properties Ltd Site Address: Land at Knockbreck Farm and Burgage Farm, Knockbreck Road, Tain.	
	Agreed: no further considerations raised.	MF
7.4	Description: Proposed mixed use development including up to 75 residential units and 1.3 ha allocated for business use, with all associated infrastructure, open space and landscaping (22/02037/PAN) (PLN/044/22) Ward: 8. Applicant: Tulloch Homes Ltd Site Address: Land South of Riverford Farmhouse, Conon Bridge.	
	Agreed: to bring to the prospective applicant's attention the communities' desire to improve cycling links between Muir of Ord and Conon Bridge.	Michael Kordas

8	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
8.1	<p>Applicant: Mowi Scotland Ltd (21/05582/FUL) (PLN/045/22) Location: Loch Hourn, Arnisdale (Ward 5). Nature of Development: Modification to equipment and biomass. Reduction in number of pens from 12 x 120m circumference pens (and 1 x 100 m circumference pen) to 8 x 160 m circumference pens. Proposed biomass increase and relocation of existing feed barge Recommendation: Grant.</p>	
	<p>Mrs I Campbell left the meeting having declared an interest.</p> <p>Update on fresh water pearl mussel population survey and response from NatureScot who have concluded the new proposals will not have any additional impact on fresh water mussel population.</p> <p>Motion by Mr R Gale seconded by Mr M Reiss to refuse planning permission for the following reasons: It is acknowledged that the population of wild salmon and seatrout is in decline. Regardless of the cause, Marine Scotland acknowledges that the additional 250 tonnes of biomass has the potential to exacerbate this and add to the cumulative effect on wild salmonids. The development is therefore considered to be contrary to policy 50 of the HwLDP. It has not been satisfactorily demonstrated that the development will not have an increased impact on the natural environment as is stated in the report at 8.43: “the increase in biomass and re-design of the pen layout could result in changes to the depositional footprint of the farm. Judging by the seabed video survey submitted, this change could have some negative impact on these PMFs.” The development is therefore considered to be contrary to policy 57 of the HwLDP. Finally, it has not been satisfactorily demonstrated that the additional biomass will not adversely impact the local fresh water pearl mussel population. The development is therefore considered to be contrary to policy 58 of the HwLDP.</p> <p>Amendment by Mr D Millar seconded by Mr K Rosie to grant planning permission in accordance with the recommendation contained in the report.</p> <p>Vote: Motion – 7 (Mr M Reiss; Ms M Smith, Ms S Atkin; Ms L Kraft; Mr R Gale; Mr M Baird; Ms A MacLean) Amendment – 6 (Mr A Rhind; Mr S Kennedy; Mr K Rosie; Mr D Millar; Mr R Stewart; Ms T Collier) Abstentions – 0 Motion carried 7 votes to 6 Agreed: to refuse planning permission for the reasons given in Mr R Gale’s motion.</p>	MH
8.2	<p>Applicant: Lochalsh and Skye Housing Association (21/05962/PIP)</p>	

	<p>(PLN/046/22) Location: Land 380 m NE of Portree NHS Dental Clinic, Sraid An Eorna, Portree, Skye (Ward 10). Nature of Development: Mixed use development comprising up to 248 residential units, business unit, community shop, care village, landscaping and associated infrastructure. Recommendation: Grant.</p>	
	<p>Mr D Millar left the meeting having declared an interest in this application and Mr K Rosie took the Chair.</p> <p>Agreed: to grant planning permission subject to the conditions (as amended) and the prior conclusion of a section 75 agreement (or other appropriate mechanism) to secure developer contributions and affordable housing.</p>	SH
8.3	<p>Applicant: 3A Partnership Ltd (22/000465/FUL) (PLN/047/22) Location: Land opposite Rose Croft, Balvairst Road, Muir of Ord (Ward 8). Nature of Development: Erection of 3 houses. Recommendation: Grant.</p>	
	<p>Mr D Millar returned and took the Chair.</p> <p>Agreed: to grant planning permission subject to the conditions contained in the report and the securing of upfront payment of developer contributions.</p>	Susan Hadfield/ GP
8.4	<p>Applicant: Highland Council (22/01126/PIP) (PLN/048/22) Location: Land 15 m NW of 16 Peffery Road, Dingwall (Ward 8). Nature of Development: Meiklefield Redevelopment Masterplan - Demolition of 114 residential units and erection of 117 residential units and associated infrastructure. Recommendation: Grant.</p>	
	<p>Mr R Bremner re-joined the meeting for this item.</p> <p>Agreed: to grant planning permission subject to the conditions contained in the report and upfront payment of developer contributions. The Housing Service to be encouraged to update their safer routes to schools plans as part of the re-development.</p>	MF
9	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division (PP 149 - 180) Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	
9.1	<p>Applicant: Mr Metawie (21/02473/FUL) (PPA-270-2261) Location: Hamara, Coolin Drive, Portree, IV51 9DN (Ward 10) Nature of Development: Erection of one (previously two) holiday letting units.</p>	
	<p>Agreed: to NOTE the decision of the Reporter to allow the appeal and grant planning permission subject to the conditions listed in the decision</p>	Alison Harvey

	notice.	
9.2	<p>Applicant: Mr Metawie (21/02473/FUL) (PPA-270-2261)</p> <p>Location: Hamara, Coolin Drive, Portree, IV51 9DN (Ward 10)</p> <p>Nature of Development: Erection of one (previously two) holiday letting units.</p> <p>Claim for expenses against the decision by The Highland Council (item 9.1 refers).</p>	
	Agreed: to NOTE the decision of the Reporter to decline the appellant's claim for expenses.	Alison Harvey
9.3	<p>Applicant: Drum Hollistan Renewables LLP (20/00645/FUL) (PPA-270-2238)</p> <p>Location: Land 2215 metres South West of Under Keepers Cottage, Sandside, Reay, KW14 8AJ (Ward 2)</p> <p>Nature of Development: Development of wind farm, known as Drum Hollistan 2 Wind Farm, comprising 7 turbines with a maximum blade tip of 125 metres and associated infrastructure.</p>	
	Agreed: to NOTE the decision of the Reporter to dismiss the appeal and refuse planning permission for the reasons given in the decision notice.	Claire Farmer-McEwan
9.4	<p>Applicant: Limekiln Wind Ltd (20/01905/S36) (WIN-270-13)</p> <p>Location: Limekiln Wind Farm Extension, South East of Reay, Caithness, KW14 7QY (Ward 2)</p> <p>Nature of Development: Construction and operation of an extension to Limekiln Wind farm comprising of up to 5 wind turbines and associated infrastructure.</p>	
	Agreed: to NOTE the decision of Scottish Ministers to grant consent under Section 36 of the Electricity Act 1989 and deemed planning permission subject to the conditions referred to in the decision notice.	SH
	The meeting finished at 14:55.	

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

29 JUNE 2022

ACTION NOTE/MINUTE

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>

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Committee Members Present:

Ms S Atkin, Mr R Bremner, Ms T Collier (Teams), Mr R Gale, Ms L Kraft, Mrs A Maclean, Mr D Millar (Chair), Mrs M Paterson, Mr K Rosie (Vice Chair), Mr R Stewart

Substitutes Present:

Mr H Morrison for Mr M Baird

Officers Participating:

Dafydd Jones (DJ) – Acting Head of Development Management – Highland

Simon Hindson (SH) – Team Leader – Strategic Projects Team

Jane Bridge – Senior Engineer (Development Management)

Rhoda Banfro – Solicitor (Planning) and Clerk

Fiona MacBain – Committee Administrator

Guests:

None.

ITEM NO	<u>DECISION</u>	<u>ACTION</u>
1	Apologies for Absence Leisgeulan	
	Mrs I Campbell, Mr M Baird, Ms J McEwan, Ms M Morley-Smith and Mr M Reiss.	N/A
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	Ms J McEwan - item 3.1.	N/A
3	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	

3.1	<p>Applicant: Meall Buidhe Renewables LLP (20/02659/FUL) (PLN/049/22) Location: Land 4420M NW Of Croick Estate, Ardgay (Ward 1). Nature of Development: Erection of and Operation of a Wind Farm for a period of 25 years, comprising of 8 Wind Turbines with a maximum blade tip height 149.9m, access tracks, substation, control building, and ancillary infrastructure with a maximum output of 40 Megawatts. Recommendation: Grant.</p>	
	<p>Motion by Mr D Millar seconded by Mr K Rosie to grant planning permission in accordance with the recommendation contained in the report.</p> <p>Amendment by Mr H Morrison seconded by Mrs M Paterson to refuse planning permission for the following reasons:</p> <p>While acknowledging the contribution the proposed development would, if approved, make to renewable energy targets and towards addressing climate change, the significantly adverse visual impacts of the development and the impacts on the special qualities of Wild Land Area 29, as identified by NatureScot, are considered to outweigh the benefits offered by the application. In my assessment, this in turn leads to the development being significantly detrimental overall.</p> <p>Therefore the application is to be refused for the following reasons: The application is considered to be contrary to Policy 67 (Renewable Energy), Policy 61 (Landscape) and Policy 57 (Natural, Built and Cultural Heritage of the Highland wide Local Development Plan and Scottish Planning Policy as the development would have a significantly detrimental impact on the special qualities for which the following Wild Land Areas have been identified: special qualities 1, 3 and 4 of WLA 29: Rhidorroch – Beinn Dearg – Ben Wyvis and special qualities 1 and 4 of WLA 34: Reay – Cassley for the reasons given by NatureScot given in their consultation response. Namely, the proposal adversely impacts the qualities of the wild land area, particularly in the northeast of WLA 29 and from some elevated locations within the interior, as a result of the design, scale and location of the proposed development, in particular the prominent location of the proposal and the proposed turbine height (149.5m to blade tip) and proximity to WLA 29.</p> <p>In addition, the application is considered to be contrary to Policy 67 (Renewable Energy) of the Highland wide Local Development Plan, the associated Onshore Wind Energy Supplementary Guidance and Scottish Planning Policy as the development would have a significantly detrimental visual impact, both individually and cumulatively with existing consented and operational onshore wind energy developments including Lairg, Braemore, Rosehall, Achany, leading to the perceived encirclement of settlements within Strath Oykel including Rosehall and Altass particularly as viewed by road users, including tourists, residents, and recreational users of the outdoors in the wider vicinity of the site including core paths and mountain tops due to the design, scale and location of the proposed development.</p> <p>Vote: Motion – 2 (Mr D Millar, Mr K Rosie) Amendment – 9 (Ms S Atkin, Mr R Bremner, Ms T Collier, Mr R Gale, Ms L Kraft, Mrs A Maclean, Mr H Morrison, Mrs M Paterson, Mr R Stewart)</p>	<p>Claire Farmer/SH</p>

	<p>Abstentions – 0 Amendment carried 9 votes to 2</p> <p>Agreed: to REFUSE planning permission for the reasons given by Mr H Morrison.</p>	
	<p>The meeting finished at 15:30.</p>	