

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

18 October, 10.30AM

MINUTE / ACTION NOTE

Listed below are the decisions taken by Committee at their virtual Microsoft Teams 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 note.

Committee Members Present:

Ms S Atkin
Mr M Baird
Ms I Campbell (with the exception of item 6.7)
Ms T Collier (Teams)
Mr R Gale (Teams)
Ms L Kraft
Ms J McEwan (with the exception of item 6.5) (Teams)
Mr D Millar (with the exception of item 6.8) (Teams)
Ms M Morley-Smith
Ms M Paterson
Mr K Rosie (in the chair)
Mr R Stewart (Teams)

Substitutes:

Mr A Jarvie (Teams)
Mr S Kennedy

Officers participating:

Mr D Jones, Area Manager - North (DJ)
Mr M Harvey, Team Leader (MH)
Mr S Hindson, Team Leader (SH)
Mr P Wheelan, Planner (PW)
Mr M Kordas, Planner (MK)
Mr L Burnside, Planner (LB)
Mr J Watson, Planner (JW)
Ms K Lyons, Solicitor/Clerk
Ms R Ross, Committee Officer

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan	

	Mr R Bremner, Ms A MacLean, Mr M Reiss and Mr A Rhind	n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt	
	Ms J McEwan – item 6.5, Ms I Campbell – 6.7	n/a
3	Confirmation of Minutes Dearbhadh a’ Gheàrr-chunntais	
	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 27 September which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLN073/22 by the Area Planning Manager - providing an update on progress of all cases within the “Major” development category currently with the Infrastructure and Environment Service for determination. The Committee NOTED the current position with the applications.	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iartais	
5.1	Description: Balmeanach Wind Farm – Erection and operation of a wind farm comprising up to 10 wind turbines with blade tip heights of up to 149.9m and associated infrastructure. (22/04095/PAN) (PLN/074/22) Ward: 10 – Eilean A’ Cheò Applicant: Balmeanach Wind Farm Limited Site Address: Land 2400M NE Of An Cleireach, 8 Balmeanach, Struan, Isle of Skye	DJ
	NOTED the application, no further considerations raised.	
5.2	Description: Construction of alternative access for Strathy South Wind Farm (22/04160/PAN) (PLN/075/22) Ward: 01-North, West and Central Sutherland Applicant: SSE Renewables Site Address: Land at Strathy South, Strathy Forest, Strathy	DJ
	NOTED the application, no further considerations raised.	
5.3	Description: Erection and operation of a hydrogen electrolyser plant and associated infrastructure (22/04169/PAN) (PLN/076/22) Ward: 04 - East Sutherland and Edderton Applicant: Scottish Power Energy Retail Ltd Site Address: Land 2480M East of Beinn Tharsuinn Windfarm, Edderton NOTED the application, no further considerations raised.	DJ
5.4	Description: Erection and operation of a hydrogen electrolyser plant and associated infrastructure (22/04329/PAN) (PLN/077/22) Ward: 04 – East Sutherland and Edderton Applicant: SSE Generation	DJ

	<p>Site Address: Gordonbush Wind Farm, by Moulin Cottage, Brora, KW9 6LX</p> <p>Matters raised by Members included the possibility of transporting hydrogen by rail rather than road to avoid the safety risk of hydrogen being transported past businesses. Members were advised the proposal would require a consultation with HSE and a separate Hazardous Substances Consent would be required also which is dealt with under separate legislation.</p>	
	<p>NOTED the application and AGREED Members' comments would be provided to the applicant.</p>	
6	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
6.1	<p>Applicant: Ms Klara Pehalova (22/00459/FUL) (PLN/078/22) Location: Land 50M East Of 18 Roag, Dunvegan, Isle Of Skye (Ward 10 Eilean A' Cheò). Nature of Development: Erection of house, garage and two holiday letting units Recommendation: Grant</p>	MH
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	
6.2	<p>Applicant: Mr Timothy Lumsden (22/00567/FUL) (PLN/079/22) Location: Land 50M SW Of Bower Old School, Bower (Ward 02 – Thurso and North West Caithness). Nature of Development: Erection of house and associated drainage. Recommendation: Grant</p>	LB
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and the upfront payment of the developer contribution referred to in para 8.26 of the report.</p>	
6.3	<p>Applicant: Energiekontor UK Ltd (22/00942/S42) (PLN/080/22) Location: Land At Torr Leathann Strathrory, Ardross, Alness (Ward 06 - Cromarty Firth). Nature of Development: Application for non-compliance with Condition 10 (Construction Traffic Management Plan) of planning permission 20/00584/FUL Recommendation: Approve</p>	PW
	<p>Agreed: to Approve the application subject to the conditions recommended in the report.</p>	
6.4	<p>Applicant: Energiekontor UK Ltd (22/01637/FUL) (PLN/081/22) Location: Land At Torr Leathann Strathrory, Ardross, Alness (Ward 06 – Cromarty Firth). Nature of Development: Amended access track to Strathrory Wind Farm Recommendation: Grant</p>	PW
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	

6.5	<p>Applicant: Energiekontor UK Ltd (22/01058/S42) (PLN/082/22) Location: Land 2400M SE Of Cracrail, Toroboll, Lairg (Ward 01 – North, West and Central Sutherland). Nature of Development: Section 42 Application to develop land without compliance with condition 13 of planning permission 21/00849/FUL, relating to implementation of the Construction Traffic Management Plan (CTMP) and increase the timescale direction from 3 to 5 years from the date of consent. Recommendation: Approve</p>	SH
	<p>Agreed: to Approve the application subject to the conditions recommended in the report..</p>	
6.6	<p>Applicant: Whirlwind Energy Storage Ltd (22/02054/FUL) (PLN/083/22) Location: Land 295M South Of Mill House, Stainland, Thurso (Ward 02 – Thurso and North West Caithness). Nature of Development: Erection and operation of a battery energy storage system comprising of up to 50 battery storage units, electrical connection building, landscaping, fencing and ancillary infrastructure. Recommendation: Grant</p>	SH
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	
6.7	<p>Applicant: Mowi Scotland Ltd (22/02482/FUL) (PLN/084/22) Location: Upper Loch Torridon, Sheildaig (Ward 05 - Wester Ross, Strathpeffer And Lochalsh). Nature of Development: Marine Fish Farm - Atlantic Salmon: alteration to install two additional 120m circumference cages. Recommendation: Grant</p>	JW
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report.</p>	
6.8	<p>Applicant: Energiekontor UK Ltd (22/02717/S36) (PLN/085/22) Location: Land 1700M SW of Oape, Ardgay (Ward 01 - North, West and Central Sutherland). Nature of Development: Application for section 36 consent for the proposed Strath Oykel Wind Farm and battery storage, 11 wind turbines of up to 200 metres and associated infrastructure. Recommendation: Conditionally Raise no Objection</p> <p>Motion: Mr M Baird seconded by Mrs M Paterson</p> <p>While acknowledging that, if approved, the proposed development would contribute towards renewable energy targets and addressing climate change, in Members' assessment the adverse impacts of the development are considered to outweigh the benefits offered and the application was therefore objected to on the following reasons:</p> <ul style="list-style-type: none"> • Policy 67 (Renewable Energy) of the Highland-wide Local Development Plan indicates that the Council <i>“will support proposals where it is satisfied that they are located, sited and designed such that they will not be significantly detrimental overall, either individually or cumulatively with other developments.”</i> In Members' assessment of the application, the development would have a significantly detrimental 	MK

	<p>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 properties within Strath Oykel, including the settlements of 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 due to the design, scale and location of the proposed development in this elevated location on the south of the strath. The proposed development should be considered contrary to Policy 67;</p> <ul style="list-style-type: none"> • Policy 28 (Sustainable Design) of the Plan indicates that “Developments which are judged to be significantly detrimental” in terms of the criteria listed “<i>will not accord with this Local Development Plan.</i>” One of the criteria listed is impact on “<i>impact on individual and community residential amenity</i>” and another is that the development “<i>demonstrate sensitive siting</i>”. For the reasons above mentioned, Members were of the view that the development should be judged as being significantly detrimental in terms of these criteria and therefore it does not accord with the Plan; • Paragraphs 28 and 29 of Scottish Planning Policy are engaged. The Committee does not believe (i) that this is the right development in the right place and (ii) that the application will protect, enhance or promote the landscape and wider environment; and • Scotland’s Land Use Strategy sets out that there needs to be a balance between the benefits of on-shore wind energy development and its impacts. In respect of this development, the Committee believes that this balance has not been appropriately struck. 	
	<p>Agreed: to Raise an Objection to the application</p>	
	<p>The meeting ended at 3.20 pm.</p>	

THE HIGHLAND COUNCIL
SOUTH PLANNING APPLICATIONS
COMMITTEE

COUNCIL CHAMBER, HQ, 1 NOVEMBER 2022, 10.30AM

MINUTE / ACTION NOTE

Listed below are the decisions taken by Committee at their virtual Microsoft Teams 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 note.

Committee Members Present:

Mr C Aitken	Mr A MacDonald (remote)
Mr C Ballance	Mrs I MacKenzie
Mr M Cameron (remote)	Mr A MacKintosh
Mr D Fraser	Mr T MacLennan (in the Chair)
Mr L Fraser (remote)	Mr P Oldham
Mr K Gowans	Ms M Reid
Mr A Graham	Ms L Siggers
Mr R Jones	

Non-Committee Members Present:

Mrs T Robertson (remote), Mr D Macpherson, Mr D Gregg (remote)

Officers participating:

Mr D Mudie, Area Planning Manager – South (DM)
Ms C Farmer-McEwan, Planner (CFM)
Ms C MacLeod, Planner (CM)
Ms C McArthur, Principal Solicitor
Ms F MacBain, Committee Administrator

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Mr B Lobban	
		n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt There were none.	
		n/a
3	Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais	

	There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 4 October 2022 which was APPROVED .	n/a
4	Major Development Update Iartasan Mòra	
	There had been circulated Report No PLS/85/22 by the Area Planning Manager - providing an update on progress of all cases within the "Major" development category currently with the Infrastructure and Environment Service for determination. The Committee NOTED the current position with the applications.	DM
5	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	
5.1	Applicant: Scottish Hydro Electric Transmission Plc (21/04728/FUL) (PLS/86/22) Location: Land 1185M West of Knotty Wood Cottage, Farr. (Ward 12) Nature of Development: Retrospective application for the construction of the tracks to access the Knocknagael - Tomatin 275kw Over Head Line. Recommendation: Grant. An objection had been received from Strathnairn Community Council and should have been included in the Report of Handling, but had been submitted to the wrong email address. The details of the objection had been circulated to Members by email and included in the Committee presentation. Motion: Mr D Fraser, seconded by Mr C Ballance, to defer to allow SEPA to respond on the risks associated with the deviation of Track 3 above Tower 18, with particular regard to the evidence provided by 3 rd parties in relation to the depth of the excavations. There was no amendment.	
	Agreed: to DEFER the application for the reasons provided by Mr D Fraser.	CFM
5.2	Applicant: Springfield Properties PLC (22/01000/FUL) (PLS/87/22) Location: Land To Rear of Drakies House, Culcabock Avenue, Inverness. (Ward 16) Nature of Development: Erection of 12 houses, alterations to access road. Recommendation: Grant.	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report together with an additional condition to address access issues. Members further agreed to grant delegated powers to the Planning Case Officer to draft an appropriate condition on the boundary treatment, in particular the gate / fence that was to be erected at the end of Culcabock Avenue. in consultation with local ward Members.	
6	Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division	DM

	Co-dhùnadh mu Iartas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir	
6.1	<p>Applicant: Esther Botha (PPA-270-2267) (21/05206/FUL) Location: The Viewmount, East Terrace, Kingussie, PH21 1JS (Ward 20) Nature of Development: landscape engineering works to form garden terrace</p>	
	NOTED the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission subject to the two conditions listed at the end of the decision notice.	
6.2	<p>Applicant: Esther Botha (PPA-270-2267) (ENA-270-2042) Location: The Viewmount, East Terrace, Kingussie, PH21 1JS (Ward 20) Nature of Development: Claim for expenses by Esther Botha against The Highland Council.</p>	
	NOTED the decision of the Reporter appointed by the Scottish Ministers that the council has not acted in an unreasonable manner resulting in liability for expenses and, in exercise of the powers delegated, declines to make any award.	
6.3	<p>Applicant: Springfield Properties PLC (21/04582/PIP) (PPA-270-2265) Location: Land 80 metres east of Balvonie Cottage, Inshes, Inverness, IV2 5JZ (Ward 19) Nature of Development: Residential development with associated infrastructure.</p> <p>Members expressed concern and disappointment at the outcome of this appeal, and the Chair emphasised the importance of keeping control of applications whenever possible.</p>	
	NOTED the decision of the Reporter who is minded to grant planning permission subject to conditions and the prior conclusion of a planning obligation to secure the matters referred to in para 45 of the decision notice. The parties have 12 weeks from the date of the decision notice to complete and register the planning obligation.	
	The meeting ended at 12.30pm.	

The Highland Council

Minutes of Meeting of the **Harbours Management Board** held in Committee Room 1, Council Headquarters, Glenurquhart Road, Inverness on Friday 9 December 2022 at 2:00 pm.

Present:-

Ms S Atkin (remotely)	Ms L Niven (remotely)
Mr I Brown	Mr K Rosie (remotely)
Mr M Green	Mr R Stewart (remotely)
Ms J McEwan	Mrs T Robertson
Mr C Munro (remotely)	

Non Member also in attendance:-

Mr K Gowans (remotely)

In attendance:-

Mr M MacLeod, Executive Chief Officer - Infrastructure, Environment and Economy
Ms T Urry, Head of Roads and Transport
Mr M Bain, Project Manager
Mr R Porteous, Roads Operation Manager (remotely)
Mr G Smith, Service Lead – Infrastructure (remotely)
Mr T Usher, Harbours Manager, Community Services
Mr A MacIver, Principal Engineer, Project Design Unit
Miss J MacLennan, Principal Administrator, Performance and Governance Service

1. Appointment of Chair

Mr M Green, having been duly nominated and seconded, was unanimously appointed as Chair.

The Chair indicated that he did not intend to appoint a Vice Chair at this meeting but invited any Member with an interest to come forward before the next meeting of the Board.

2. .Apologies for Absence

There were no apologies for absence.

3. Declarations of Interest

There were no Declarations of Interest.

4. Remit

The remit of the Board was as follows:-

“The Harbours Management Board has responsibility for the overall management of the Council’s fishery and commercial harbours, social piers, jetties, and slipways.

The remit of the Harbours Management Board includes making recommendations on the following to the Economy and Infrastructure Committee:-

- monitoring the harbours trading account;
- monitoring the position in relation to outstanding debt and the debt recovery process;
- reviewing the condition of harbours, piers and jetties;
- the annual programmes for capital and revenue expenditure;
- leases and disposals of harbour land and buildings, subject to the approval of the Corporate Resources Committee;
- responding to consultations which impact on harbour and fishing operations; and
- reviewing national and international decisions affecting the fishing industry”.

The Harbours Manager then provided a briefing and overview of the Council’s Harbours’ operation detailing the ports and marine facilities throughout Highland.

The Board **NOTED** the position.

5. Uig Harbour Redevelopment - Update

There had been circulated Report No HMB/1/22 dated 2 December 2022 by the Executive Chief Officer Infrastructure, Environment & Economy providing information about the redevelopment of facilities at Uig Harbour to accommodate the new larger ferry vessel for the Uig, Tarbert, Lochmaddy triangle. Members were provided with information on the new terminal building, the revised outage and the current status of the programme. As a whole the project was approximately half way through. Councillor Munro, now a Member of the Harbours Management Board, was the Chair of the Local Community Liaison Group.

The redevelopment would bring economic benefit not only to Uig but to Skye as a whole, the details of which officers provided. Information was also sought in relation to the Liquefied Natural Gas proposals which were currently paused by Transport Scotland but assurance were given that any costs of introducing of charging points would be met by them – as it was a Transport Scotland project.

The Board **NOTED** the position.

6. Corran Ferry – Infrastructure Improvement Scheme Consultation

The Project Manager (Corran Ferry) provided a presentation on the Public Infrastructure Improvement Scheme Consultation showing the various alternatives that had been considered. There was an overwhelming case for investment, particularly taking into account the age of the existing vessels, the fact demand was increasing and the long road based diversion that would arise if the ferries broke down. The project, to replace the vessels with electric powered technology, was on track but there were still factors to be considered in terms of operation and construction but the proposed Choir Nam Muc hydropower scheme was a potential power source for the project.

During discussion, the following points were made:-

- details were sought, and provided, as to the nature of the accommodation for the crews of the Corran Ferry;
- in response to a question, it was explained that the new electric powered vessels would take approximately 35 seconds longer to cross the narrows but they would

be more efficient, safer and would remove emissions on Europe's busiest single crossing;

- as the Corran Ferry bought its fuel direct from suppliers the move to electric powered vessels would not have a detrimental impact on the Harbours Board fuel sales;
- the infrastructure costs were in the region of £62m and it was important to get a budget allocation for this as soon as possible. As part of this, officers were investigating all possible sources of funding opportunities and were endeavouring to have this project included as part of the Strategic Transport Review;
- information was sought, and provided, as to the levels of attendance at the consultation events; and
- the Chair requested information regarding the Comfort Scheme.

The Board **NOTED** the presentation.

7. Raasay Development Trust Pontoon Mooring Licence

There had been circulated Report No HMB/2/22 dated 23 November 2022 by the Executive Chief Officer Infrastructure, Environment & Economy Infrastructure.

The Board **AGREED** to recommend to the Economy and Infrastructure Committee that it approves:-

- i. the issuing of a moorings licence for the pontoon system in Raasay Harbour; and
- ii. the waiving of the licence fees for the first year to ease the financial pressures on the Raasay Development Trust during the start-up period.

8. Schedule of Rates and Dues for 2022/23

There had been circulated Report No HMB/3/22 dated 23 November 2022 by the Executive Chief Officer Infrastructure, Environment & Economy.

Having welcomed the headings in the Schedule in both Gaelic and English, the Board:-

- i. **NOTED** the contents of the Schedules of Rates and Dues, inclusive of the annual inflationary uplift applied at 3.99%;

and **AGREED** to recommend that the Economy and Infrastructure Committee:-

- ii. agrees to homologate the retrospective publication Schedules of Rates and Dues for Highland Council Harbours for the financial year 2022/23; and
- iii. approves the inclusion of a new table of rates for fish farm workboat vessels.

9. ScotWind Opportunities for Kinlochbervie Harbour

There had been circulated Report No HMB/4/22 dated 23 November 2022 by the Executive Chief Officer Infrastructure, Environment & Economy.

In relation to the proposed installation of offshore wind farms around the northern coastline of Highland, Kinlochbervie Harbour was well situated to offer, for some, an operation and maintenance base. These windfarms would not be operational for some time but Members were keen to explore the opportunities that might arise. In this regard, it was important to work closely with Council's Leadership Group and

Highlands and Islands Enterprise as such opportunities would safeguard the future economy of the community. To demonstrate the Board's commitment to this proposal it was suggested that the next meeting of the Board could take place in Kinlochbervie.

The Board **NOTED** the position and **APPROVED** the creation and circulation of design material to promote Kinlochbervie harbour to potential companies involved in the Operation and Maintenance of nearby wind farms.

10. Financial Performance 1 April 2022 to 31 October 2022

There had been circulated Report No. HMB/5/22 dated 1 December 2022 by the Executive Chief Officer Infrastructure, Environment and Economy.

Following general discussion, the Board **NOTED** the financial position to 31 October 2022.

The meeting ended at 3.40 pm