

THE HIGHLAND COUNCIL

NORTH PLANNING APPLICATIONS COMMITTEE

6 DECEMBER 2022, 10.30AM, COUNCIL CHAMBER, INVERESS

MINUTE / 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 note.

Committee Members Present:

Ms Sarah Atkin	
Mr Michael Baird	Mr Drew Millar
Mr Raymond Bremner (remote)	Ms Maxine Morley-Smith
Mrs Isabelle Campbell	Mrs Margaret Paterson
Ms Tamala Collier (remote)	Mr Matthew Reiss
Mr Richard Gale (except item 6.7 to 7.2)	Mr Alasdair Rhind
Ms Liz Kraft	Mr Karl Rosie
Ms Jan McEwan (remote) (except item 6.4 to 7.2)	Mr Ruraidh Stewart (except item 6.7)

Non-Committee Members

Mr Chris Balance
Ms Marianne Hutchison
Mr William MacKay
Mr Thomas MacLennan
Mr Paul Oldham

Officers participating:

Mr D Borland, Planner (DB)
Mr M Clough, Roads (MC)
Mr D Jones, Area Manager - North (DJ)
Mr M Fitzpatrick, Planner (MF)
Mr M Harvey, Planner (MH)
Mr S Hindson, Team Leader (SH)
Ms G Pearson, Planner (GM)
Mr C Simms, Planner (CS)
Ms L Stewart, Planner (LS)
Ms R Banfro, Solicitor and Clerk
MS K Lyons, Principal Solicitor and Clerk
Ms R Ross, Committee Officer

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan Ms Angela MacLean	
		n/a

2	Declarations of Interest Foillseachaidhean Com-pàirt No Declarations of Interest	
		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 meetings of the Committee held on 18 October 2022 which were APPROVED .	n/a
4	Major Development Update Iarrtasan Mòra	
	There had been circulated Report No PLN/086/22 by the Area Planning Manager – North, providing an update on progress of all cases within the “Major” development category currently with the Infrastructure and Environment Service for determination. Updates were provided as follows: <ul style="list-style-type: none"> • 22/05178/FUL- Erection and operation of an anaerobic digestion plant and ancillary infrastructure at Land 350M South of Fearn Aerodrome, Fearn (had been submitted for an anaerobic digester and associated infrastructure. It is anticipated that Officers will come to a recommendation in respect of this application in Spring 2023. • 21/05591/S36- Erection and operation of Renewable Energy Development in perpetuity comprising 10 wind turbines with a ground to blade tip height of 149.9m, ground mounted solar arrays, battery energy storage system, access tracks, permanent met mast and LiDAR, two temporary met masts, up borrow pits and associated infrastructure. Following circulation to members an objection to this application has now been raised. • 19/04269/SCOP- 11 wind turbines with a blade to tip height of up to 180 metres and a generating capacity of up to 62 Megawatts (MW) at Land at Torr Leathann Strathory Ardross Alness. Following circulation to members this application was refused under delegated powers. Clarification was sought and provided on: <ul style="list-style-type: none"> • whether an extension to the 21 day period for submission of consultation responses could be provided for South of Fearn Aerodrome. • whether the application for South of Fearn Aerodrome could be carefully considered by the Roads Department and Transport Scotland. • the current position in relation to this application for Land East of Portree, Industrial Estate, Staffin Road, Portree application (13/03980PIP). The Committee NOTED the current position with the applications.	SH
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	Description: Creation of a solar farm (22/04895/PAN) (PLN/087/22) Ward: 05 Applicant: Simon Morrison and Co. Site Address: Easter Urray, Muir of Ord, IV6 7UL.	
	NOTED the application.	DJ

5.2	<p>Description: Formation and operation of stone quarry (Spittal Quarry Extension) (22/04739/PAN) (PLN-088-22) Ward: 3 Applicant: A and D Sutherland. Site Address: Spittal Mains, Spittal, Wick.</p>	
	<p>NOTED the application.</p>	<p>DJ</p>
6	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
6.1	<p>Applicant: Compass Building and Construction Services Ltd (22/00221/PIP) (PLN-088-22). Location: Land 80M North Of 9 Storr Road, Portree (Ward 10). Nature of Development: Masterplan for erection of 66 residential units Recommendation: GRANT</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and the following additional conditions:</p> <p>Any details pursuant to condition 22 shall include:</p> <p>a scheme for provision of a connected and sealed surface active travel network within the site connecting to the wider path network and providing safe routes to Portree Primary School, Bun-sgoil Ghàidhlig Phort Rìgh and Portree High School. Such provision shall be designed in accordance with the guidelines contained within Transport Scotland's Cycling by Design 2021. Thereafter, the scheme shall be implemented in full prior to the occupation of any residential unit in the phase or sub-phase it relates;</p> <p>a scheme for the design and implementation of path links to Storr Road, Rathad na h-Airigh and linking Rathad na h-Airigh with Fladda Crescent, to a minimum width of 3m inclusive of all surfacing details. The agreed scheme shall be implemented prior to occupation of any residential unit within the development. in line with the approved scheme.</p> <p>Reason: To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.</p>	<p>SH</p>
6.2	<p>Applicant: Compass Building and Construction Services Ltd (21/05951/FUL) (PLN/090/22). Location: Land 80M North Of 9 Storr Road Portree (Ward 10) Nature of Development: Erection of 14 residential units and associated infrastructure - Phase 1 of Home Farm Development Recommendation: GRANT</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions recommended in the report and the following additional conditions:</p> <p>any details pursuant to condition 19 shall include:</p> <p>a scheme for provision of a connected and sealed surface active travel network within the site connecting to the wider path network and providing safe routes to Portree Primary School, Bun-sgoil Ghàidhlig Phort Rìgh and Portree High School. Such provision shall be designed in accordance with the guidelines contained within Transport Scotland's Cycling by Design 2021. Thereafter, the scheme shall be implemented in full prior to the occupation of any residential unit in the phase or sub-phase it relates;</p>	<p>SH</p>

	<p>a scheme for the design and implementation of path links to Storr Road, Rathad na h-Airigh and linking Rathad na h-Airigh with Fladda Crescent, to a minimum width of 3m inclusive of all surfacing details. The agreed scheme shall be implemented prior to occupation of any residential unit within the development. in line with the approved scheme.</p> <p>Reason: To ensure that an adequate level of access is timeously provided for the development; in the interests of road safety and amenity.</p>	
6.3	<p>Applicant: Mr Colin Smith (21/05563/FUL) (PLN-091-22) Location: Land 30M SW Of Ocala, Oldwick, Wick (Ward 3). Nature of Development: Erection of a block of single storey semi-detached houses Recommendation: REFUSE</p>	
	<p>Agreed: to REFUSE planning permission for the reasons set out in section 11 of the report.</p>	MF
6.4	<p>Applicant: ESB Asset Development UK Limited 22/01635/S36) (PLN-092-22) Location: Land 2375M NW Of Keepers Cottage, Dalnessie, Lairg (Ward 01). Nature of Development: Chleansaid Wind Farm - Erection and Operation of a Wind Farm comprising 16 turbines 12 turbines at 200 metres and 4 turbines at 180 metres, generating around 96MW and associated infrastructure (access tracks, borrow pits, substation, control building) and includes battery energy storage facility 20MW. Recommendation: RAISE NO OBJECTION</p>	
	<p>Agreed: to RAISE NO OBJECTION for the reasons set out in section 11 of the report.</p>	SH
6.5	<p>Applicant: Mrs Katie Beaton (22/02499/FUL) (PLN-093-22) Location: Uist View, Gesto, Isle Of Skye (Ward 10). Nature of Development: Erection of house, formation of access road and installation of septic tank and soakaway Recommendation: REFUSE</p> <p>Motion: R Stewart, seconded by Mr M Morley-Smith, as follows:</p> <p>‘The siting and design of the proposed development are both considered to be acceptable in this location given that there already exists a dwelling house in an elevated position above the bay. The development has been assessed and is considered to accord with the aims and objectives of Policies 28, 36, 47, 57 and 61 of the Highland-wide Local Development Plan. I would seek a seconder to support this motion’.</p>	
	<p>Agreed: to GRANT planning permission subject to the conditions to be drafted by Planning officers in consultation with Mr Drew Millar and Mr Ruraidh Stewart as the Ward 10 Members of NPAC.</p>	MH
6.6	<p>Applicant: Mr T Campbell (22/02879/FUL) (PLN/094/22) Location: Windrill, Drumsmittal, North Kessock. Nature of Development: Erection of extension, formation of integral self-contained unit, erection of shed and retrospective installation of skate park (ancillary use to main dwelling). Recommendation: GRANT</p> <p>Motion: Ms S Atkin seconded by Mr R Stewart, as follows:</p> <p>The development is contrary to HwLDP Policy 28 as the siting within this Hinterland area is not in keeping with the local character of this area. The planning report states, ‘that it has been acknowledged that the skate park structure is inconsistent with the surrounding rural area.’ This development fails to demonstrate sensitive siting and fails to respect the local distinctiveness of the surrounding landscape contrary to Policy 29</p>	

	<p>HwLDP Design Quality and Place-Making. Taking the planning application at face value, a structure of this scale and purpose would prove significantly detrimental to the local character and surrounding area.</p> <p>Amendment: Mr D Millar seconded by Mr K Rosie to grant planning permission in accordance with the recommendation contained in the report.</p> <p>On a vote being taken, the results were as follows:</p> <p>Motion – 9 (Ms S Atkin, Mr M Baird, Mrs I Campbell, Mr R Gale, Mr L Kraft, Ms M Smith, Ms M Paterson, Mr M Reiss, Mr R Stewart) Amendment – 4 (Mr R Bremner, Ms T Collier, Mr D Millar Mr R Rosie) Abstentions – 0 Motion carried 9 votes to 4</p>	
	Agreed: to REFUSE planning permission for the reasons given detailed above.	LS
6.7	<p>Applicant: Mr P Tanzer (22/02986/FUL) (PLN/095/22) Location: 10 Balnakeil Craft Village, Balnakeil, Durness (Ward 1). Nature of Development: Erection of house and 3 holiday lets with on-site parking Recommendation: GRANT</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report.	DB
6.8	<p>Applicant: Dunbeath & District Centre per Oberlanders Architects (22/02997/FUL) (PLN/096/22) Location: Land 20M SW Of 9 Neil Gunn Road, Dunbeath (Ward 3). Nature of Development: Erection of Health and Wellbeing hub Recommendation: GRANT</p>	
	Agreed: to GRANT planning permission subject to the conditions recommended in the report	GP
6.9	<p>Applicant: Highland Wind Limited (22/03864/S36) (PLN/097/22) Location: Development Site 9KM NW Of Dounreay Nuclear Research Establishment, Dounreay Nature of Development: Pentland Offshore Floating Wind Farm - Erection and Operation of an offshore floating wind farm and associated offshore infrastructure comprising up to seven floating wind turbines of up to 300m to blade tip height, seven floating substructures with associated mooring lines and anchors / piles, inter-array cables, two export cables, landfall, and associated scour and cable protection measures. Recommendation: RAISE NO OBJECTION</p> <p>Motion: Mr M Reiss seconded by Mr R Stewart to object to the application for the following reasons:</p> <p>This development should not be supported because, as the visualisations demonstrate, it is significantly detrimental in terms of the following criteria listed in policy 67 and policy 28 of the Highland-wide Local Development Plan:</p> <ul style="list-style-type: none"> • It does not demonstrate sensitive siting (directly to the north of the village of Reay) • The impact of the development on individual and community residential amenity (residents of Reay and nearby surrounding areas) 	

	<ul style="list-style-type: none"> Visual impact, both individually and in combination with consented wind farms, particularly the Limekilns/Limekilns Extension Wind Farm, and Baillie windfarm (residents of Reay, visitors and others using NC500). <p>Amendment: Mr D Millar seconded by Mr K Rosie to raise no objection in accordance with the recommendation contained in the report.</p> <p>Motion – 4 (Mr M Baird, Mrs M Paterson, Mr M Reiss, Mr R Stewart) Amendment – 8 (Ms S Atkin, Mr R Bremner, Mrs I Campbell, Ms T Collier, Ms L Kraft, Mr D Millar, Ms M Morley-Smith, Mr K Rosie) Abstentions – 0 Amendment carried 8 votes to 4</p>	
	Agreed: to RAISE NO OBJECTION	SH
6.10	<p>Applicant: Parkdean Holiday Parks Limited (22/03798/FUL) (PLN/098/22) Location: Caravan Park, Grannies Heilan Hame, Embo, Dornoch, IV25 3QD (Ward 04). Nature of Development: Change of use of land to form 21 no. static caravan stances for holiday use, and ancillary development Recommendation: GRANT</p>	
	Agreed: to DEFER the application to a future meeting of the Committee.	LB
6.11	<p>Applicant: Mr and Mrs C. Paterson (22/03325/FUL) (PLN/099/22) Location: Land 40M SW Of Migdale Hospital, Matheson Road, Bonar Bridge (Ward 01). Nature of Development: Erection of house Recommendation: REFUSE</p> <p>Motion: Mr D Millar seconded by Mr K Rosie to refuse planning permission in accordance with the recommendation contained in the report.</p> <p>Amendment: Mr R Bremner seconded by Ms M Morley-Smith to grant planning permission subject to conditions (including a condition securing a slate roof) to be approved by the local member on NPAC (Mr M Baird) for the following reasons:</p> <p>It is considered that the settling of the B listed former Migdale Hospital will not be adversely affected such that Policy 28 of the Highland-wide Local Development Plan would be breached. The scale, height and glazing of the proposed development are not considered to be insensitive and, rather, are considered to be complementary to the listed building. In the overall assessment and taking into account that special regard is to be had to preserving the setting of the listed building, the application is considered to accord with polices 28, 29, 36, 57 and 61 of the Highland-wide Local Development Plan.</p> <p>Vote: Motion – 3 (Ms S Atkin, Mr D Millar, Mr K Rosie) Amendment – 9 (Mr M Baird, Mr R Bremner, Mrs I Campbell, Ms T Collier, Ms L Kraft, Ms M Morley-Smith, Mrs M Paterson, Mr M Reiss, Mr R Stewart) Abstentions – 0 Amendment carried 9 votes to 3</p>	
	Agreed: to GRANT planning permission subject to conditions (including a condition securing a slate roof) to be approved by the local member on NPAC (Mr M Baird) and Chair for the reasons stated by Mr R Bremner.	CS
7.1	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p>	

	<p>Applicant: Ossian Developments Limited (PPA-270-2268) (21/04108/FUL) (PLN-100-22)</p> <p>Location: Land 50 metres north-west of Caberfeidh, Braes of Ullapool, IV26 2XJ Land 50 metres north-west of Caberfeidh, Braes of Ullapool, Ullapool, IV26 2XJ (Ward 05) (Ward 5)</p> <p>Nature of Development: Siting of nine self-catering pods and two staff accommodation buildings</p>	
	<p>Agreed: to NOTE the decision of the Reporter to dismiss the appeal and refuse planning permission for the reasons listed.</p>	
7.2	<p>Applicant: Jacqueline Morrison (NA-270-005) (21/02619/FUL)</p> <p>Location: Land 185M North of Unit 1C, Market Place, Portree (Ward 10)</p> <p>Nature of Development: Siting of Catering Trailer</p>	
	<p>Agreed: to NOTE the decision of the Scottish Ministers to grant planning permission subject to the conditions listed.</p>	
	<p>The meeting ended at 6.35pm.</p>	