

## **THE HIGHLAND COUNCIL**

### **NORTH PLANNING APPLICATIONS COMMITTEE**

**25 JANUARY 2023, 10.30AM, COUNCIL CHAMBER, INVERESS**

#### **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 Michael Baird  
Mrs Isabelle Campbell  
Mr Richard Gale  
Ms Liz Kraft  
Mrs Angela MacLean  
Ms Jan McEwan **(except item 6.7 and 6.8)**

Mr Drew Millar **(in the Chair except Item 5.1 and 5.2)**  
Mr Alasdair Rhind **(except Item 6.4)**  
Mrs Margaret Paterson  
Mr Karl Rosie  
Mr Ruraidh Stewart **(except Item 6.4)**  
Mr Hugh Morrison **(except item 5.2 to 6.10)**

#### **Substitutes**

Mr Sean Kennedy **(except item 6.1 to 7.3)**  
Mr Struan Mackie **(except item 6.10, 7.1 and 7.2)**  
Ms Morven-May MacCallum **(except item 6.1 to 7.3)**

#### **Non-Committee Members Present:**

Marianne Hutchinson **(except item 6.4 to 7.3)**  
Duncan MacPherson **(except item 6.4 to 7.3)**

#### **Officers participating:**

Mr D Jones, Area Manager - North (DJ)  
Mr S Hindson, Team Leader (SH)  
Mr Liam Burnside (LB)  
Ms Claire Farmer (CF)  
Mr Craig Simms (CS)  
Mr Peter Wheelan (PW)  
Mr Jethro Watson (JW)  
Mr M Harvey, Planner (MH)  
Ms R Banfro, Solicitor and Clerk  
Ms Rachel Ross, Committee Administrator

ITEM NO	DECISION	ACTION
1	<p><b>Apologies for Absence</b> <b>Leisgeulan</b></p> <p>Ms S Atkin (substituted by Ms MM MacCallum) Mr R Bremner, Ms T Collier and Mr M Reiss (substituted by Mr S Mackie)</p>	
		n/a
2	<p><b>Declarations of Interest</b> <b>Foilseachaidhean Com-pàirt</b></p> <p>Item 6.10-Mr S Mackie Item 6.7 and 6.8 – Mr J McEwan</p>	
		n/a
3	<p><b>Confirmation of Minutes</b> <b>Dearbhadh a' Gheàrr-chunntais</b></p> <p>There had been submitted for confirmation as a correct record the action note and minute of the meetings of the Committee held on 6 December 2022 which were <b>APPROVED</b>.</p> <p>Clarification was sought by Mr R Stewart regarding the progress of issuing planning permission in respect of planning application 22/02499/FUL considered by the Committee on 6 December 2022.</p>	DJ
3a.	<p><b>Appointment of Member to the Planning Review Body</b> <b>Cur Bhall an Dreuchd chun na Buidhne Ath-bhreithneachaidh Dealbhaidh</b></p>	
	<p>The Committee agreed to appointment Mr R Gale to the Planning Review Body.</p>	n/a
4	<p><b>Major Development Update</b> <b>Iartasan Mòra</b></p>	
	<p>There had been circulated Report No PLN/001/23 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.</p> <p>The following large scale applications have been submitted since the report was published:</p> <ul style="list-style-type: none"> <li>• Extension of existing Broadford Substation, Isle of Skye;</li> <li>• Extension of existing Edinbain Substation of the Isle of Skye;</li> <li>• Extension to the Bettyhill Wind Farm on the North Coast of Sutherland; and</li> <li>• S36 Application for Kirkton Wind Farm on the Northwest Coast of Sutherland</li> </ul> <p>It is anticipated that these applications will be brought to Committee for determination in late summer 2023.</p> <p>The Committee <b>NOTED</b> the current position with the applications.</p>	SH

5	<b>Continued Items</b> <b>Cuspairean a' Leantainn</b>	
5.1	<b>Applicant:</b> SSE Generation Limited (21/03695/S36) (PLN/002/23) <b>Location:</b> Land 2km NE Of Glencassley Castle, Rosehall (Ward 01). <b>Nature of Development:</b> Achany Extension Wind Farm - Erection and Operation of a Wind Farm for a period of 50 years, comprising of 20 Wind Turbines with a maximum blade tip height 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure. <b>Recommendation:</b> RAISE NO OBJECTION.	
	<b>Agreed to:</b> RAISE NO OBJECTION	SH
5.2	<b>Applicant:</b> Energiekontor UK Ltd (22/02717/S36) (PLN/003/23) <b>Location:</b> Land 1700M SW of Oape, Ardgay (Ward 01). <b>Nature of Development:</b> 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. <b>Recommendation:</b> RAISE NO OBJECTION.	
	<p>Mr M Baird seconded by Mrs M Paterson agreed to RAISE AN OBJECTION for the following reasons:</p> <p>Having reviewed the report and having regard to NPF4, Members are of the view that there has been no significant material change, which would lead to the Committee's decision of 18 October 2022 being altered. It is Member's assessment that the objection in relation to this application be maintained for the following reasons which have been updated to reflect the content of National Planning Framework 4 and the Onshore Wind Energy Policy Statement 2022:</p> <p>Policy 67 (Renewable Energy) of the Highland-wide Local Development Plan indicates that the Council "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." In Members' assessment of the application, the development would have a significantly detrimental MK visual impact, both individually and cumulatively with existing consented and operational onshore wind energy developments including Lairg, 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. Given the significant localised impact of this proposal, members are of the view that the mitigation by design of the proposed development is not considered appropriate in accordance with Policy 11(e)(ii) and fails to mitigate the significant cumulative impacts contrary to Policy 11(e)(xiii) of NPF4.</p> <p>Policy 11(e)(i) of NPF4 indicates that proposals such as this Development will address project design and mitigation in relation to the impact on communities and individual dwellings, including residential amenity and visual impact. For the reasons above mentioned, Members were of the view that the development should be judged as being significantly detrimental and as such fails to accord with Policy 11(e)(i) of NPF4. The Committee does not</p>	SH

	<p>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 and Onshore Windfarm Energy Statement 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> <p>In considering these impacts, Members have placed significant weight on the contribution of the proposal to renewable energy generation and addressing climate change in terms of Policy 1 of NPF4, however, in Member's assessment the adverse visual impacts of the development both individually and cumulatively, significantly outweigh the benefits offered by this application.</p>	
<b>6</b>	<b>Planning Applications to be Determined</b> <b>Iarrtasan Dealbhaidh rin Dearbhadh</b>	
<b>6.1</b>	<p>6.1 (pp 37 - 57) (Plans pp 1)</p> <p><b>Applicant:</b> Charles Sutherland Joinery &amp; Construction (22/03837/PIP) (PLN/004/23)</p> <p><b>Location:</b> Plot 1 Land 45M South of Clett Cottage, Brough, Dunnet (Ward 02).</p> <p><b>Nature of Development:</b> Erection of house with associated drainage system and formation of access</p> <p><b>Recommendation:</b> GRANT</p>	
	<b>Agreed to: GRANT</b> planning permission subject to the conditions recommended in the report.	<b>CS</b>
<b>6.2</b>	<p><b>Applicant:</b> Charles Sutherland Joinery &amp; Construction (22/03841/PIP) (PLN/005/23)</p> <p><b>Location:</b> Plot 2 Land 75M South of Clett Cottage, Brough, Dunnet (Ward 02).</p> <p><b>Nature of Development:</b> Erection of house with associated drainage system and formation of access.</p> <p><b>Recommendation:</b> GRANT</p>	
	<b>Agreed to: GRANT</b> planning permission subject to the conditions recommended in the report.	<b>CS</b>
<b>6.3</b>	<p><b>Applicant:</b> Bluebell Wind Limited (21/02985/FUL) (PLN/006/23)</p> <p><b>Location:</b> Land 1.9Km SW Of Aultguish Inn, Garve, IV23 2PQ (Ward 05).</p> <p><b>Nature of Development:</b> Lochluichart Wind Farm Extension II Redesign - Erection and Operation of a Wind Farm for a period of 40 years, comprising of 5 wind turbines with a maximum blade tip height 149.9m, access tracks, borrow pits, substation, control building, and ancillary infrastructure.</p> <p><b>Recommendation:</b> GRANT</p>	
	<b>Agreed to: GRANT</b> planning permission subject to the conditions recommended in the report.	<b>PW</b>
<b>6.4</b>	<p><b>Applicant:</b> Raasay Development Trust (22/03917/FUL) (PLN/007/23)</p> <p><b>Location:</b> Raasay New Ferry Terminal, Battery Park, Isle of Raasay (Ward 10).</p>	

	<p><b>Nature of Development:</b> Proposed EV charging point, campervan hookup, chemical waste disposal and PV panels.</p> <p><b>Recommendation:</b> GRANT</p>	
	<p><b>Agreed to:</b> GRANT planning permission subject to the conditions recommended in the report.</p>	<b>JW</b>
<b>6.5</b>	<p><b>Applicant:</b> Highland Council (22/02739/FUL) (PLN/008/23)  <b>Location:</b> Land 70M South of Lone Tree, Staffin Road, Portree (Ward 10).  <b>Nature of Development:</b> Creation of a new link road.  <b>Recommendation:</b> GRANT</p>	
	<p><b>Agreed to:</b> GRANT planning permission subject to the conditions recommended in the report.</p>	<b>MH</b>
<b>6.6</b>	<p><b>Applicant:</b> Parkdean Holiday Parks Limited (22/03798/FUL) (PLN/009/23)  <b>Location:</b> Caravan Park, Grannies Heilan Hame, Embo, Dornoch, IV25 3QD (Ward 04).  <b>Nature of Development:</b> Change of use of land to form 21 no. static caravan stances for holiday use, and ancillary development.  <b>Recommendation:</b> GRANT</p>	
	<p><b>Agreed to:</b> GRANT planning permission subject to the conditions recommended in the report.</p>	<b>LB</b>
<b>6.7</b>	<p><b>Applicant:</b> Reay Farms Ltd (22/02675/PIP) (PLN/010/23)  <b>Location:</b> Land 65M SE Of Safari Croft, Reay (Ward 02).  <b>Nature of Development:</b> Erection of House  <b>Recommendation:</b> GRANT</p>	
	<p><b>Agreed to:</b> GRANT planning permission subject to the conditions recommended in the report.</p>	<b>CF</b>
<b>6.8</b>	<p><b>Applicant:</b> Reay Farms Ltd (22/02676/PIP) (PLN/011/23)  <b>Location:</b> Land 65M SE Of Safari Croft, Reay (Ward 02).  <b>Nature of Development:</b> Erection of House  <b>Recommendation:</b> GRANT</p>	
	<p><b>Agreed to:</b> GRANT planning permission subject to the conditions recommended in the report.</p>	<b>CF</b>
<b>6.9</b>	<p><b>Applicant:</b> SSE Renewables (22/03723/S42) (PLN/012/23)  <b>Location:</b> Land Approximately 15 Kilometres South of Strathy Village And 35 Kilometres South-west of The Settlement of Thurso (Ward 01).  <b>Nature of Development:</b> Application for non-compliance with conditions 10 (Aviation Lighting and Information) and Condition 30 (Noise) of deemed planning permission 20/03481/S36 (Strathy South Wind Farm Variation)  <b>Recommendation:</b> APPROVE</p>	
	<p><b>Agreed to:</b> APPROVE planning permission subject to the conditions recommended in the report</p>	<b>SH</b>
<b>6.10</b>	<p><b>Applicant:</b> Highland Wind Limited (22/04722/PIP) (PLN/013/23)  <b>Location:</b> Land at The Dounreay Coast in Caithness, Immediately Adjacent to The Western Boundary of The Vulcan Naval Reactor Test Establishment (Vulcan NRTE) (Ward 02).  <b>Nature of Development:</b> Erection and operation of Onshore Substation,</p>	

	Underground Electricity Cables, Cable Landfall, Transition Joint Bay, Cable Joint Bays, construction compounds, new and upgraded access tracks and associated infrastructure. <b>Recommendation:</b> GRANT	
	<b>Agreed to:</b> <b>APPROVE</b> planning permission subject to the conditions recommended in the report, with delegated powers granted to Officers to amend Condition 2 and any subsequent consequential changes to conditions to address wording consistency.	<b>SH</b>
<b>7.1</b>	<b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b> <b>Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b>  <b>Applicant:</b> Kyle of Sutherland Development Trust (22/00337/FUL) (PLN/014/23) <b>Location:</b> Land 40 metres east of South Bonar Public Toilets, Ardgay, IV24 3AN (Ward 01) <b>Nature of Development:</b> Construction of shelter containing WC and shower facilities, provision of services to provide serviced overnight parking and camping site.	
	Agreed: to <b>NOTE</b> the decision of the Reporter to refuse planning permission for the construction of a shelter containing WC and shower facilities, provision of services to provide serviced overnight parking and camping site at land 40 metres east of South Bonar Public Toilets, Ardgay, IV24 3AN following notification to Scottish Ministers of the Committee's decision to grant the application.	
<b>7.2</b>	<b>Applicant:</b> MOWI Scotland Limited (21/05582/FUL) (PLN/015/23) <b>Location:</b> Loch Hourn, Arnisdale, PH41 (Ward 05) <b>Nature of Development:</b> modification to equipment and biomass. Reduction in number of pens from 12 x 120m circumference pens (and 1 x 100m circumference pen) to 8 x 160m circumference pens. Proposed biomass increase and relocation of existing feed barge.	
	<b>Agreed:</b> to <b>NOTE</b> the decision of the Reporter to allow the appeal and grant planning permission subject to the 11 conditions listed at the end of the decision notice.	
<b>7.3</b>	<b>Applicant:</b> South Kilbraur Wind Farm Limited (19/04826/FUL) (PLN/016/23) <b>Location:</b> land 1,645 metres south of 43 Farlary, Rogart, Sutherland IV28 (Ward 01) <b>Nature of Development:</b> installation of up to seven wind turbines of up to 149.9 metres in height and ancillary infrastructure.	
	<b>Agreed:</b> to <b>NOTE</b> the decision of the Reporter to dismiss the appeal and refuse planning permission.	
	<b>The meeting ended at 15:19.</b>	