

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

4 June 2024, 10.00 AM

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 M Baird
Mr R Bremner
Ms B Campbell – remotely, apart from item 6.2
Ms T Collier – remotely, item 6.1 onwards
Mr R Gale
Ms L Kraft
Mrs A MacLean
Ms J McEwan – remotely, item 6.3 onwards
Mr D Millar
Ms M Paterson
Mr M Reiss
Mr K Rosie - remotely
Mr R Stewart

Non-Committee Members Present:

Ms M Hutchison
Mr C Munro

Substitutes:

Ms M MacCallum
Ms M Ross

Apologies:

Ms S Atkin
Ms M Smith

Officers participating:

Mr D Jones, Area Planning Manager – North (DJ)
Mr P Wheelan, Planning Team Leader (PW)
Ms E Forbes, Planning Team Leader (EF)
Mr L Burnside, Planner (LB)
Mr M Fitzpatrick, Planner (MF)

Mr M Kordas, Planner (MK)
 Mr C Simms, Planner (CS)
 Ms K Slotwinska, Planner (KS)
 Ms J Bridge, Senior Engineer, Transport Planning (JB)
 Ms R Banfro, Acting Principal Solicitor (Planning) and Clerk
 Ms R Ross, Committee Officer

ITEM NO	DECISION	ACTION
1	Apologies for Absence Leisgeulan	n/a
2	Declarations of Interest Foillseachaidhean Com-pàirt Item 6.5 – Ms J MacEwan, Mr M Reiss	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 which was APPROVED.	n/a
4	Major Development Update Iarrtasan Mòra There had been circulated Report No PLN/001/23 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.	DJ
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais 21 - 51)	
5.1	Description: Proposed development of a 49.9MW Battery Energy Storage System (BESS) at Spittal, Caithness (24/01076/PAN) (PLN/039/24) Ward: 03 - Wick and East Caithness Applicant: Fig Power LTD Site Address: Caithness Flagstone Limited, Spittal Mains Quarry, Spittal, Wick During discussion the importance of consulting with the Scottish Fire and Rescue Service on how potential fires at the location would be dealt with was emphasised. The Committee NOTED application.	CS

5.2	<p>Description: Hardstanding area to accommodate vehicle access, parking, loading and unloading, an office, 3 x crane set up areas, and a main turbine component storage area (24/01461/PAN) (PLN/040/24) Ward: 02 – Thurso and North West Caithness Applicant: SSE Renewables PLC Site Address: Land 450M West Of Pennyland Farm, Thurso.</p> <p>The Committee NOTED the application.</p>	CS
5.3	<p>Description: Laying of underground cabling to link Bettyhill Wind Farm Phase 2 and Dounreay substation (24/01312/PAN) (PLN/041/24) Ward: 01 - North, West And Central Sutherland Applicant: Bettyhill 2 Wind Ltd. Site Address: Land 2375M SE Of Cairnview, Bettyhill</p> <p>The Committee NOTED the application.</p>	MF
5.4	<p>Description: Erection of temporary accommodation, welfare and recreational buildings for staff. Formation of access and parking (24/01638/PAN) (PLN/042/24) Ward: 10 - Eilean A' Cheò Applicant: Sodexo Energy & Resources Site Address: Land 220M SW Of Tigh Na Greine, Broadford, Skye</p> <p>During discussion the following main points were raised:-</p> <ul style="list-style-type: none"> • more clarity was requested on the legacy that this project would have on the local area; • this application could reduce the economic benefit of other associated projects and it was queried if the economic benefit could be considered cumulatively; and • it was requested that a meeting be arranged with officers and local members to discuss this application as it moves forward. <p>The Committee NOTED the application.</p>	MH
5.5	<p>Description: Construction and operation of Battery Energy Storage System (BESS) of up to 300 MW with associated infrastructure (including cable route to substation), access and ancillary works (including landscaping and biodiversity enhancement) (24/01640/PAN) (PLN/043/24) Ward: 03 – Wick and East Caithness Applicant: Field Spittal Limited Site Address: SSE DC Site Spittal Sub Station, Halkirk</p> <p>During discussion the importance of adequate screening and landscaping was emphasised and clarification was sought and provided on how these conditions are decided.</p> <p>The Committee NOTED the presentation.</p>	MK

6	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
6.1	<p>Applicant: Offshore Wind Power Limited (23/05353/PIP) (PLN/044/24) Location: AC Site Spittal Sub Station, Halkirk (Ward 02). Nature of Development: Erection and operation of onshore substation, underground electricity cables, cable landfall, transition joint bays, cable joint bays, construction compounds, new and upgraded access tracks and associated infrastructure. Recommendation: GRANT</p> <p>The Committee AGREED to GRANT the application subject to conditions the drafting of the final wording of conditions being delegated to officers in consultation with the Chair and NPAC Ward 2 and Ward 3 Members.</p>	MK
6.2	<p>Applicant: Arise AB (21/04984/S36) (PLN/045/24) Location: Land At Tormsdale 1500M South Of Bridge Of Westerdale, Halkirk (Ward 03). Nature of Development: Tormsdale Wind Farm - Erection and operation of wind farm for period of 30 years, comprising of 10 wind turbines with maximum blade tip height of 149.9m, access tracks, substation, control building, Battery Energy Storage System, and ancillary infrastructure. Recommendation: RAISE OBJECTION</p> <p>The Committee AGREED to RAISE AN OBJECTION to the application.</p>	MK
6.3	<p>Applicant: RWE Renewables UK Onshore Wind Ltd (23/05188/S36) (PLN/046/24) Location: Land 2040M NE Of Bulreanrob, Lybster (Ward 03). Nature of Development: Golticlay Wind Farm Redesign - Erection and operation of a wind farm for a period of 35 years, comprising up to 13 wind turbines, 11 with a maximum blade tip height of 200m, 2 with a maximum blade tip height of 180m, access tracks, borrow pits, substation, control building, metrological mast, and ancillary infrastructure. Recommendation: RAISE NO OBJECTION</p> <p>The Committee AGREED to RAISE NO OBJECTION to the application subject to an amendment in respect of the following condition:</p> <p>Condition 26</p> <p>No development or site enabling works shall commence until a Construction Traffic Management Plan (CTMP) to manage all construction traffic and abnormal indivisible loads, associated with that phase, has been submitted at least 4 months prior to start on site and approved in writing by the Planning Authority, in consultation with the Local Roads Authority, Transport Scotland and any affected local Community Councils. The CTMP shall be carried out as approved in accordance with the timetable specified within the approved CTMP.</p> <p>The CTMP shall include:</p> <ul style="list-style-type: none"> a) a detailed construction programme. b) confirmation of bulk material sources to be used during the construction period. 	MK

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| | <p>c) identification of the routes to and from site for general construction traffic and confirmation of the number and type of vehicle movements anticipated on these routes during the construction period.</p> <p>d) proposed measures to mitigate the impact of abnormal load movements and general construction traffic on the local road network following detailed assessment of the relevant routes. Measures such as the following should be considered , with such works to be funded / delivered by the applicant in a timely manner:</p> <ul style="list-style-type: none">• carriageway strengthening;• strengthening of bridges and culverts;• carriageway widening and/or edge strengthening;• provision of passing places;• road safety measures; and• traffic management, including measures such as temporary speed limits, suitable temporary signage, road markings and the use of speed activated signs as required. <p>e) a risk assessment for the movement of abnormal loads during daylight hours and hours of darkness.</p> <p>f) proposals for an abnormal loads delivery trial-run to be undertaken with the involvement of Police Scotland and prior to the commencement of abnormal loads deliveries.</p> <p>g) a detailed protocol for the delivery of abnormal loads/vehicles, prepared in consultation with interested parties, including the Council, the Police, Transport Scotland and, as required, community representatives. The protocol shall identify any requirement for convoy working and/or escorting of vehicles and include arrangements to provide advance notice of abnormal load movements in the local media. Temporary signage, in the form of demountable signs or similar approved, shall be established, when required, to alert road users and local residents of expected abnormal load movements. All such movements on Council maintained roads shall take place outwith peak times on the network, including school travel times, and shall avoid local community events.</p> <p>h) a detailed delivery programme for abnormal load movements, which shall be made available to the Council and as required, community representatives.</p> <p>i) a contingency plan prepared by the abnormal load haulier. The plan shall be adopted only after consultation and agreement with the Police and the respective roads authorities. It shall include measures to deal with any haulage incidents that may result in public roads becoming temporarily closed or restricted.</p> <p>j) a procedure for the regular monitoring of road conditions and the implementation of any remedial works required during the construction period.</p> <p>k) a concluded agreement in accordance with Section 96 of the Roads (Scotland) Act 1984 under which the developer is responsible for the repair of any damage to the public road network that can reasonably be attributed to construction related traffic. As part of this agreement, pre-start and post-construction road condition surveys must be carried out by the developer, to the satisfaction of the Roads Authorities.</p> <p>l) details of upgrading works required at access points connecting to any Council maintained roads.</p> <p>m) measures to ensure that all affected public roads are kept free of mud and debris arising from the development.</p> | |
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	<p>n) identification of a named point of contact responsible for the CTMP;</p> <p>o) the establishment of a Community Liaison Group (CLG) the purpose of which shall be to monitor progress and agree suitable measures to address any issues of concern arising from the works; and</p> <p>p) procedure for liaison and coordination of construction activities with other developments likely to result in cumulative access, traffic and transport impacts on the road network.</p>	
6.4	<p>Applicant: Mr Ross Lambie (23/05735/MSC) (PLN/047/24) Location: Land 70M SW Of Tigh Na Greine, Broadford (Ward 10). Nature of Development: Erection of house. Recommendation: GRANT</p> <p>The Committee AGREED to GRANT the subject to the conditions detailed in the report.</p>	KS
6.5	<p>Applicant: Highland Council (24/00364/FUL) (PLN/048/24) Location: Avonlea, West Banks Avenue, Wick (Ward 03). Nature of Development: Internal and External Alterations to change the building from a Children's Unit to an Educational Facility (Appendix to Wick High School). Recommendation: GRANT</p> <p>Declaration of interest – Ms J MacEwan and Mr M Reiss due to their involvement with groups campaigning for the re-instatement of Avonlea as a Children's Unit.</p> <p>The Committee AGREED to GRANT the application subject to the conditions detailed in the report.</p>	CS
6.6	<p>Applicant: Cornerstone (22/06232/FUL) (PLN/049/24) Location: Land 440m Southeast of Burnbrae, Quarry, Glenelg (Ward 05). Nature of Development: Erection of a 25m high lattice tower, ancillary equipment and new access track. Recommendation: GRANT</p> <p>The Committee AGREED to GRANT the application subject to the conditions detailed in the report.</p>	LB
6.7	<p>Applicant: Mr Duncan Fraser (22/03003/FUL) (PLN/050/24) Location: Land 40M NE Of Marsden, Knockbain, Munloch (Ward 09). Nature of Development: Erection of house. Recommendation: GRANT</p> <p>The Committee AGREED to GRANT the application subject to the conditions detailed in the report and subject to the following amendment in respect of condition 2: -</p> <p>No development shall commence on the house hereby approved until a phasing plan outlining the timeline for the establishment of the horticulture business to which the house has been deemed essential for, has been submitted to and approved in writing by the Planning Authority. Thereafter no development shall commence on the house until the agreed phase 1 of the horticulture business has been established and operational for at least 6 months, and acknowledged in writing by the Planning Authority.</p>	EF

	At this stage, officers enquired whether members required a hearing to consider the applications for a fish farm at Floddigarry (ref 23/05927/FUL) and Balmaqueen (ref 23/05931/FUL) which officers intended to bring to Committee for consideration. No request had been made to date for a hearing and the Committee indicated they were satisfied to proceed on that basis.	
6.8	<p>In terms of Standing Order 8, the Convener had agreed that the following be taken as an additional urgent item, in order that an objection could be raised before the expiry of the deadline imposed by the Energy Consent Unit:-</p> <p>Applicant: Renantis (formerly Falck Renewables Wind Limited) (23/02998/S36)(PLN/051/24) Location: Land 1800M NE of 12 Upper Feorlig Dunvegan (Ward: 10) Nature of Development: Ben Aketil Repowered and Extended Wind Farm – Decommissioning and removal of 12 turbines and related infrastructure, erection and operation of 9 turbines with a maximum blade tip height of 200m, up to 20MW Battery Storage System, anemometer mast, access tracks, up to two borrow pits and all associated infrastructure. Recommendation: Raise an Objection</p> <p>The Committee AGREED to RAISE AN OBJECTION for the reasons details laid out in the report.</p>	MF
7	<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: Mr Ewen Ross (21/00107/ENF) (ENA-270-2044) Location: Land by Achingale, Easter Kinkell, Conlon Bridge, IV7 8HY Nature of Enforcement: unauthorised building, engineering or other operations on the above land by the establishment of a polytunnel on the land without the required planning permission.</p> <p>The Committee NOTED the decision of the Reporter to uphold the enforcement notice but allow the appeal to the extent that the terms of the notice had been varied by deleting the words “shown edged orange” and replacing them with the words “shown edged and cross-hatched in purple”, and by changing the time period for compliance with part (i) to six weeks.</p>	
	The meeting ended at 5.50 pm.	