

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

7 August 2024, 10.00AM

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 S Atkin
Mr M Baird
Mr R Bremner - remotely
Ms B Campbell
Ms T Collier
Mr R Gale
Ms L Kraft
Mrs A MacLean (except items 6.4, 6.9 & 6.5)
Ms J McEwan – remotely (except item 6.3)
Mr D Millar
Ms M Paterson (except items 6.4 onwards)
Mr M Reiss (except item 6.6 & 6.7)
Mr K Rosie - remotely
Ms M Smith
Mr R Stewart (except items 6.2, 6.9, 6.10 and item 7)

Non-Committee Members Present:

Mr J Finlayson

Substitutes:

Ms M Ross

Apologies:

Ms L Dundas

Officers participating:

Mr D Jones, Area Planning Manager – North (DJ)
Mr P Wheelan, Planning Team Leader (PW)
Mr M Harvey, Planning Team Leader (MH)
Ms C Farmer-McEwan, Principal Planner (CF)
Mr M Fitzpatrick, Principal Planner (MF)
Mr L Burnside, Planner (LB)
Ms K Slotwinska, Planner (KS)

Ms J Bridge, Senior Engineer, Infrastructure (JB)
 Ms R Banfro, Acting Principal Solicitor (Planning) and Clerk
 Ms R Ross, Committee Officer

ITEM NO	DECISION	ACTION
1	<p>Apologies for Absence Leisgeulan</p> <p>Apologies were intimated on behalf of Ms L Dundas.</p>	n/a
2	<p>Declarations of Interest Foillseachaidhean Com-pàirt</p> <p>Ms J McEwan – Item 6.3 Mr M Reiss – Item 6.6, Item 6.7 Mr R Stewart – Item 6.2, Item 6.9, Item 6.10, Item 7</p>	n/a
3	<p>Confirmation of Minutes Dearbhadh a’ Gheàrr-chunntais</p> <p>There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 4 June 2024 which was APPROVED.</p>	n/a
4	<p>Major Development Update Iartasan Mòra</p> <p>There had been circulated Report No PLN/051//24 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.</p> <p>During discussion the following main points were raised:-</p> <ul style="list-style-type: none"> • concern was expressed over the large number of housing projects awaiting legal agreements given the current need for housing in the area; • an update was requested on the Public Enquiry for the Skye Reinforcement Project to which the committee had previously raised an objection; and • it was queried whether the British Government’s new stance on planning applications would have effects in Highland. <p>The Committee:-</p> <ol style="list-style-type: none"> i. NOTED the current position with the applications; and ii. AGREED that the chair would write to Scottish Ministers requesting an update on the Public Enquiry. 	DJ

5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	<p>Description: Proposed mixed-use development including houses, flats and short stay accommodation, shops, financial and professional services, distillery with visitor experience, public house and ancillary development (24/02233/PAN) (PLN/0052/24)</p> <p>Ward: 10 - Eilean A' Cheò</p> <p>Applicant: Kero Properties Ltd</p> <p>Site Address: Land 85M SE Of West Highland Free Press, 1 Pairc Nan Craobh Industrial Estate, Broadford</p> <p>During discussion the following main points were raised:-</p> <ul style="list-style-type: none"> • concerns were expressed over the condition of the access road and it was queried whether there would be any plans to update it to a double carriage way; and • it was queried why only 3 out of 4 local members had been notified of this development. <p>The Committee NOTED the report.</p>	KS
5.2	<p>Description: Construction and operation of a Battery Energy Storage System (BESS) with a capacity of up to 200MW with associated infrastructure (including interface substation and cable route to consented Gills Bay substation), access and ancillary works (including landscaping and biodiversity enhancement). (24/02584/PAN) (PLN/053/24)</p> <p>Ward: 03 – Field Rigifa Limited</p> <p>Applicant: The Highland Council</p> <p>Site Address: Phillips Mains Farm, Rigifa, Mey, Thurso.</p> <p>The following correction to the report was highlighted:-</p> <p>In paragraph 1.4 the first exhibition date should have read 24 July rather than 25 June and the second exhibition date should have read 15 August rather than 22 August.</p> <p>During discussion the following main points were raised:-</p> <ul style="list-style-type: none"> • in response to a request from members, it was confirmed that training about Battery Energy Storage Systems would be arranged; • the need to protect biodiversity particularly relating to insects and bees was emphasised; • an Environmental Impact Assessment was requested; and • it was suggested that a visit to an existing Battery Storage System would be useful. <p>The Committee NOTED the report.</p>	Ikram Ullah
5.3	<p>Description: Construction and Operation of a Battery Energy Storage System (BESS) with an installed storage capacity of up to 200MW along with</p>	Ikram Ullah

	<p>associated infrastructure and ancillary works, earthworks, access, drainage, able route, landscaping, and biodiversity enhancements. (24/02669/PAN) (PLN/0054/24)</p> <p>Ward: 05 – Wester Ross, Strathpeffer and Lochalsh Applicant: Field Corriemoillie Ltd Site Address: Land at Corriemoillie Quarry, Garve</p> <p>The Committee NOTED the report.</p>	
5.4	<p>Description: Development of a Battery Energy Storage System with a capacity of 49.9MW consisting of battery storage modules and associated infrastructure fencing, control buildings, substations and CCTV. (24/02845/PAN) (PLN/0055/24)</p> <p>Ward: 02 – Thurso and Northwest Caithness Applicant: The Highland Council Site Address: Forss Business and Technology Park, Forss, Thurso.</p> <p>The Committee NOTED the report.</p>	Ikram Ullah
6	Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Mr Ashley Cross (24/01449/FUL) (PLN/056/24) Location: Land 105M NW Of Allwood, 9 Teangue (Ward 10). Nature of Development: Erection of house and temporary siting of 2no static Caravans (retrospective) Recommendation: GRANT</p> <p>During discussion the following main points were raised:-</p> <ul style="list-style-type: none"> • concerns were raised about applications for houses on unadopted roads and officers were asked to consider this in terms of future applications; and • the applicant was commended for taking the comments of the committee and officers on their previous application into account. <p>The Committee AGREED to GRANT the application subject to the conditions detailed in the report</p>	KS
6.2	<p>Applicant: Muirhall Energy Ltd (23/03945/S36) (PLN/057/24) Location: Land 3070M North Of Amer Farm, 5 Totarder, Struan (Ward 10). Nature of Development: Glen Ullinish II Wind Farm - Construction and operation of a wind farm for a 40 year operational period, comprising 47 wind turbines with a maximum blade tip height of 200m, access tracks, borrow pits, battery storage, up to 2 anemometer masts, substations and ancillary infrastructure. Recommendation: RAISE AN OBJECTION</p> <p>Declaration of Interest – Mr R Stewart declared an interest on the basis that he had previously expressed his views on all section 36 and section 37 applications relating to Skye.</p>	MF

	<p>Prior to the presentation members were made aware that officers were due to meet with the applicant to discuss design changes which could affect the application.</p> <p>Before opening the debate, the Chair reminded members that the decision was to be taken on the application as it was set out and that any amendments would be considered when they came before the Committee.</p> <p>The Committee AGREED to RAISE AN OBJECTION to the application for the reasons set out in the report.</p>	
6.10	<p>In terms of Standing order 9 the Committee AGREED to consider item 6.10 at this stage.</p> <p>Applicant: Renantis UK Ltd (formerly Falck Renewables Wind Ltd) (23/02998/S36) (PLN/065/24) 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 existing turbines and related infrastructure, erection and operation of 9 turbines with a maximum blade tip height of 200m, up to 20MW Battery Energy Storage System, anemometer mast, access tracks, up to two borrow pits, and all associated infrastructure. Recommendation: RAISE AN OBJECTION</p> <p>Declaration of Interest – Mr R Stewart declared an interest on the basis that he had previously expressed his views on all section 36 and section 37 applications relating to Skye.</p> <p>The Committee AGREED to RAISE AN OBJECTION to the application for the reasons set out in the report.</p>	MF
6.3	<p>Applicant: Mr David Skea (23/00446/PIP) (PLN/058/24) Location: Land at Mount Eagle, Culbokie (Ward 09). Nature of Development: Residential development of up to 20 houses and associated access, drainage, and landscaping. Recommendation: GRANT</p> <p>Declaration of Interest – Ms J McEwan declared an interest on the basis that the presenting officer was a close family member.</p> <p>The Committee AGREED to GRANT planning permission subject to the removal of condition 14 and subject to the conditions detailed in the report</p>	CF
6.4	<p>Applicant: GEG Capital (north) Ltd (23/01542/FUL & 23/01543/LBC) (PLN/059/24) Location: Earl's Cross Cottage, Earls Cross Road, Dornoch, IV25 3PJ (Ward 04). Nature of Development: 23/01542/FUL - Demolition of former Earls Cross Cottage, erection of 12 detached houses, remote paths connection to Earls Cross Road and formation of access road (renewal of 19/00658/FUL) 23/01543/LBC – Demolition of Earls Cross Cottage (renewal of 19/00655/LBC). Recommendation: GRANT</p>	

	<p>The Committee AGREED to GRANT planning permission subject to a section 75 agreement being varied before planning permission is issued and subject to conditions detailed in the report</p>	
6.5	<p>Applicant: GEG Capital (North) Ltd (23/01550/FUL & 23/01552/LBC) (PLN/060/24) Location: Ambassador House, Earls Cross Road, Dornoch (Ward 04). Nature of Development: 23/01550/FUL - Conversion and alterations to form 9 apartments, erection of 4 houses (renewal of planning permission 19/00657/FUL) 23/01552/LBC - Alterations to building to form 9 apartments, demolition of external fire stair and rear storage compound (renewal of 19/00654/LBC) Recommendation: GRANT</p> <p>The Committee AGREED to GRANT planning permission subject to a section 75 agreement being varied before planning permission is issued and subject to conditions detailed in the report.</p>	LB
6.9	<p>In terms of Standing Order 9 the Committee AGREED to consider item 6.9 at this stage.</p> <p>Applicant: Embo Trust (24/00952/FUL) (PLN/064/24) Location: The Old School, School Street, Embo, IV25 3PZ (Ward 04). Nature of Development: Erection of ground mounted solar PV panels. Recommendation: GRANT</p> <p>Declaration of Interest – Mr R Stewart declared an interest on the basis that he had previously expressed his views on all section 36 and section 37 applications relating to Skye.</p> <p>The Committee AGREED to GRANT planning permission subject to the conditions detailed in the report.</p>	LB
6.6	<p>Applicant: Organic Sea Harvest (23/05927/FUL) (PLN/061/24) Location: Land 1520M NE Of Bridgend Cottage, Flodigarry, Portree, Isle Of Skye (Ward 10). Nature of Development: Marine Fish Farm - Atlantic Salmon, comprising 10 120m circumference pens with 14m x 14m feed barge and ancillary equipment. Recommendation: GRANT</p> <p>Mr M Reiss declared an interest on the basis that the applicant is a personal friend.</p> <p>Motion – Mr D Millar seconded by Ms M Smith</p> <p>To refuse the application for the following reasons:-</p> <p>While it is noted that the proposed scheme would offer economic and social benefits, such benefits are not considered sufficient to outweigh the adverse visual impacts on the special Qualities of the Special Landscape Area and in particular its substantial adverse impact in respect of VP03 (Coast path at Galta Mor), VP04 (Coast Path south of Steall a'Ghreip) and VP07 (A855 at Dunans), With adverse visual impacts being experienced in relation to VP07 most notably</p>	MH

	<p>by motorists and walkers. Furthermore, it is noted that the coastline adjacent to the proposed development, particularly to the south of the Local Landscape Character Area would suffer significant effects as a result of the development. Given the extent of such adverse impacts this development is considered contrary to policy 32(d)(i) and 32(d)(iii) of NPF4 and policies 50, 57 and 61 of the Highland-wide Local Development Plan.</p> <p>Amendment – Mr R Stewart seconded by Mr K Rosie</p> <p>To grant the application as recommended in the report.</p> <p>There were 8 votes for the motion and 5 votes for the amendment, with no abstentions, the votes having been cast as follows:</p> <p>For the motion:- Ms S Atkin, Mr R Bremner, Ms T Collier, Mr R Gale, Ms J McEwan, Mr D Millar, Ms M Smith, Ms M Ross.</p> <p>For the amendment:- Mr M Baird, Mrs I Campbell, Ms L Kraft, Mr K Rosie, Mr R Stewart.</p> <p>The Committee AGREED to REFUSE the application for the reasons provided.</p>	
6.7	<p>Applicant: Organic Sea Harvest (23/05931/FUL) (PLN/062/24) Location: Land 1600M East Of Balmaqueen, Isle Of Skye (Ward 10). Nature of Development: Marine Fin Fish Farm - 10no, 120m circumference plastic pens in 2 x 5 configuration with associated feed barge and ancillary equipment. Recommendation: GRANT</p> <p>Declaration of Interest – Mr M Reiss declared an interest on the basis that the applicant is a personal friend.</p> <p>Motion – Mr D Millar seconded by Mr R Gale</p> <p>To refuse the application for the following reasons:-</p> <p>While it is noted that the proposed scheme would offer economic and social benefits, such benefits are not considered sufficient to outweigh the adverse visual impacts on the special qualities on the Special Landscape Area and in particular its substantial adverse impacts between Flodigarry and Balmaqueen to the north, in respect of VP02 (Radar Station), VP03 (Coast Path at Galta Mor), VP04 (Coast Path south of Steall a’Ghreip). Furthermore, it is noted that the coastline adjacent to the proposed development, particularly to the north of the Local Landscape Character Area would suffer significant effects as a result of the development. Given the extent of such adverse impacts this development is considered contrary to policy 32(d)(i) and 32(d)(iii) of National Planning Framework 4 and policies 50, 57 and 61 of the Highland-wide Local Development Plan.</p> <p>Amendment – Mr R Stewart seconded by Mr K Rosie</p> <p>To grant the application as recommended in the report.</p>	MH

	<p>There were 8 votes for the motion and 6 votes for the amendment, with no abstentions, the votes having been cast as follows:</p> <p>For the motion:- Ms S Atkin, Mr R Bremner, Ms T Collier, Mr R Gale, Ms J McEwan, Mr D Millar, Ms M Smith, Ms M Ross</p> <p>For the amendment:- Mr M Baird, Mrs I Campbell, Ms L Kraft, Mr A McLean, Mr K Rosie, Mr R Stewart</p> <p>The Committee AGREED to REFUSE the application for the reasons provided.</p>	
6.8	<p>Applicant: Mr Peter Logan (23/04686/FUL) (PLN/063/24) Location: Land 290M SW Of West Knockbain Farmhouse, Knockbain, Munloch (Ward 09). Nature of Development: Erection of 2no. lodges for holiday letting, formation of access track (part retrospective) Recommendation: GRANT</p> <p>The Committee AGREED to GRANT planning permission subject to the conditions detailed in the report.</p>	EF
7	<p>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</p> <p>Declaration of Interest – Mr R Stewart declared an interest on the basis that he is the applicant</p> <p>Applicant: Ruraidh Stewart (23/04610/FUL) (PPA-270-2295) Location: Land 55M NE of Willowbank, The Square, Balmacara, IV40 8DP (Ward 5) Nature of Development: Change of use of croft land to a caravan site with stances for holiday use, associated roads, parking, drainage and water connections.</p> <p>The Committee NOTED the decision of the Scottish Ministers to dismiss the appeal and refuse planning permission for the reasons given in the Decision Notice.</p>	
	<p>The meeting ended at 4.45pm.</p>	