

**THE HIGHLAND COUNCIL**  
**NORTH PLANNING APPLICATIONS**  
**COMMITTEE (via MS TEAMS)**

**9 JUNE 2020**

**MINUTES & 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 Sheet.

**Committee Members Present (via MS Teams):**

Mr R Bremner, Mrs I Campbell, Ms K Currie, Mr M Finlayson, Mr C Fraser, Mr R Gale, Mr J Gordon (except items 6.5 and 6.6), Mr D MacKay, Mrs A MacLean, Mr C Macleod, Mr D Macleod, Mrs M Paterson, Mr K Rosie, Mr A Sinclair and Ms M Smith (**Chair**).

**Substitutes:**

None.

**Officers Participating:**

Dafydd Jones – Acting Head of Development Management – Highland  
 Julie Ferguson – Team Leader  
 Simon Hindson – Team Leader  
 Erica McArthur – Principal Planner  
 Graham Sharp – Planner  
 Susan Hadfield – Planner  
 Claire Farmer – Planner  
 Jane Bridge – Senior Engineer (Development Management)  
 Karen Lyons – Principal Solicitor (Planning) and Clerk  
 Alison MacArthur – Administrative Assistant  
 Fiona MacBain – Committee Administrator

Due to the length of time that the Committee had been sitting, under Standing Order 24 the Committee agreed to adjourn the meeting after item 7, item 7 having been taken before items 6.7-6.9. Items 6.7-6.9 were deferred to the special meeting of NPAC due to be held on Friday 26 June 2020.

<b>ITEM NO</b>	<b><u>DECISION</u></b>	<b><u>ACTION</u></b>
1	<b>Apologies for Absence Leisgeulan</b>	

	Apologies for absence were received from Mr A Rhind.	<b>N/A</b>
<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>	
	None.	<b>N/A</b>
<b>3</b>	<b>Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais</b>	
	There had been submitted for confirmation as a correct record the minutes from: i. consultation meeting (via Microsoft Teams) with the Chair of North Planning Applications Committee under the revised Scheme of Delegation applicable during the Covid19 outbreak held on 21 April 2020; and ii. meeting of the North Planning Applications Committee held on 3 March 2020. which were <b>APPROVED</b> .	<b>N/A</b>
<b>4</b>	<b>Major Development Update Iartasan Mòra</b>	
	There had been circulated Report No PLN/013/20 by the Acting Head of Development Management - Highland providing an update on progress of all cases within the "Major" development category currently with the Planning and Development Service for determination.  Members commented as follows: As regards major applications coming forward in wards 8 and 9: <ul style="list-style-type: none"> <li>• Mr C Fraser referred to the multi-agency meeting to be held regarding the impact on the A9 junctions and local roads network as a consequence of further proposed development; and</li> <li>• Mrs A Maclean indicated that communities in ward 8 were keen to see reduction in A9 speed limits in the vicinity of junctions, particularly at Tore.</li> </ul> The Committee <b>NOTED</b> the current position with these applications.	<b>Dafydd Jones/ Simon Hindson</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	
5.1	Description: Skye reinforcement – erection of replacement high voltage (132 kV) transmission line between Ardmore, Skye and Fort Augustus (PLN/014/20) Ward: North Planning Application Area (Wards 5 and 10) Applicant: Scottish Hydro Electric Transmission Plc – Skye Reinforcement	

	<p>Members were advised that the applicant would be holding virtual consultation events on 9, 10 and 11 June (see SSEN website for details).</p> <p>Members raised the following considerations:</p> <ul style="list-style-type: none"> <li>• Mrs I Campbell advised that there had been a discussion at the Glenelg Community Council meeting about the replacement line following the existing line;</li> <li>• Mr D Macleod indicated that the current wooden trident poles had been chosen because of the existing ground conditions and expressed concern over the use of steel replacement structures; and</li> <li>• Mr C Macleod asked what consideration had been given to undergrounding the line in locations of scenic beauty.</li> </ul> <p>Members were further advised that the applicant would be carrying out an options appraisal and that a full landscape and visual assessment would be carried out as part of that process.</p> <p><b>Agreed:</b> to <b>NOTE</b> the submission of the PAN and confirmation from the case officer that the additional considerations referred to above would be brought to the applicant's attention.</p>	<p><b>Simon Hindson</b></p>
<p><b>6</b></p>	<p><b>Planning Applications to be Determined</b> <b>Iarrtasan Dealbhaidh rin Dearbhadh</b></p>	
<p>6.1</p>	<p>Applicant: HPG (Inverness) Ltd (15/01202/FUL) (PLN/015/20) Location: Former fish factory, High Street, Conon Bridge (Ward 8). Nature of Development: Erection of 72 residential units comprising flats, terraced, semi-detached and detached houses (including 18 affordable), 3 commercial units comprising class 4 (business), retail unit and hot food outlet (amended from GP surgery to class 4 (business) and deletion of 2 community heating plants). Recommendation: Grant.</p>	
	<p>Although concerns were raised about (i) the proposed design of the commercial units (given that this is a gateway site and is near to the listed Conon Bridge Hotel); and (ii) the sufficiency of the proposed open space/landscaping; which concerns the local members asked to be raised with the applicant, these concerns were outweighed by the benefits offered by the opportunity to re-develop this brownfield site.</p> <p><b>Motion:</b> by Mrs A Maclean seconded by Mrs M Paterson to grant planning permission subject to conditions and a s75 agreement to secure developer contributions and affordable housing all as indicated in report PLN/015/20.</p> <p><b>Amendment:</b> None.</p> <p><b>Vote:</b> N/A.</p> <p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to conditions and a s75 agreement to secure developer contributions and affordable housing all as indicated in report PLN/015/20.</p>	<p><b>Julie Ferguson</b></p>

6.2	<p>Applicant: The MacKay Robertson and Fraser Partnership (18/05159/PIP) (PLN/016/20)  Location: Lochan Corr, Black Isle Road, Muir of Ord (Ward 8).  Nature of Development: Masterplan for the erection of 104 houses.  Recommendation: Grant.</p>	
	<p>Despite members raising concerns regarding the lack of space for pedestrians along the A832 Black Isle Road due to the existing narrow footways leading from the centre of Muir of Ord to the application site, following debate on the phasing of the proposed development and related improvements to pedestrian linkages, the Committee agreed to <b>GRANT</b> planning permission subject to conditions and a s75 agreement to secure developer contributions and affordable housing all as indicated in report PLN/016/20.</p>	<b>Susan Hadfield</b>
6.3	<p>Applicant: Energiekontor (19/01096/FUL) (PLN/017/20)  Location: Land 2400 m SE of Cracrail, Toroboll, Lairg (Ward 1).  Nature of Development: Lairg 2 Wind Farm – Construction of wind farm comprising 10 turbines (7 turbines to a maximum tip height of 180 m and 3 turbines to a maximum tip height of 150 m), associated crane pads, tracks, substation, battery storage compound, 2 borrow pits and upgrade of access track.  Recommendation: Grant.</p>	
	<p>Members were advised that condition 28 would be revised (and given the securing of bonds by condition, it will also be renumbered) to:  “30. The rating level of noise immissions from the combined effects of the wind turbines hereby permitted (including the application of any tonal penalty), when determined in accordance with the attached Guidance Notes, shall not exceed 35dB LA90 at any noise sensitive location existing at the time of consent and:</p> <p>A) Prior to the First Export Date, the wind farm operator shall submit to the Local Authority for written approval a list of proposed independent consultants who may undertake compliance measurements in accordance with this condition. Amendments to the list of approved consultants shall be made only with the prior written approval of the Local Authority.</p> <p>B) Within 21 days from receipt of a written request of the Local Authority, following a complaint to it alleging noise disturbance at a dwelling, the wind farm operator shall, at its expense, employ an independent consultant approved by the Local Authority to assess the level of noise immissions from the wind farm at the complainant’s property (or a suitable alternative location agreed in writing with the Local Authority) in accordance with the procedures described in the attached Guidance Notes.  the written request of the Local Authority made under this paragraph (B), the wind farm operator shall provide the information relevant to the complaint to the Local Authority in the format set out in Guidance Note 1(e).</p>	<b>Claire Farmer</b>

C) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Local Authority for written approval the proposed measurement location identified in accordance with the Guidance Notes where measurements for compliance checking purposes shall be undertaken.

Where the proposed measurement location is close to the wind turbines, rather than at the complainants property (to improve the signal to noise ratio), then the operators submission shall include a method to calculate the noise level from the wind turbines at the complainants property based on the noise levels measured at the agreed location (the alternative method). Details of the alternative method together with any associated guidance notes deemed necessary, shall be submitted to and agreed in writing by the Local Authority prior to the commencement of any measurements.

Measurements to assess compliance with the noise limits of this condition shall be undertaken at the measurement location approved in writing by the Local Authority.

D) Prior to the commencement of any measurements by the independent consultant to be undertaken in accordance with these conditions, the wind farm operator shall submit to the Local Authority for written approval a proposed assessment protocol setting out the following:

- i) the range of meteorological and operational conditions (the range of wind speeds, wind directions, power generation and times of day) to determine the assessment of rating level of noise immissions.
- ii) a reasoned assessment as to whether the noise giving rise to the complaint contains or is likely to contain a tonal component.

The proposed range of conditions shall be those which prevailed during times when the complainant alleges there was disturbance due to noise, having regard to the information provided in the written request of the Local Authority under paragraph (B), and such others as the independent consultant considers necessary to fully assess the noise at the complainant's property. The assessment of the rating level of noise immissions shall be undertaken in accordance with the assessment protocol approved in writing by the Local Authority and the attached Guidance Notes.

E) The wind farm operator shall provide to the Local Authority the independent consultant's assessment of the rating level of noise immissions undertaken in accordance with the Guidance Notes within 2 months of the date of the written request of the Local Authority made under paragraph (B) of this condition unless the time limit is extended in writing by the Local Authority. The assessment shall include all data collected for the purposes of undertaking the compliance measurements, such data to be provided in the format set out in Guidance Note 1(e) of the Guidance Notes. The instrumentation used to undertake the measurements shall be calibrated in accordance with

Guidance Note 1(a) and certificates of calibration shall be submitted to the Local Authority with the independent consultant's assessment of the rating level of noise immissions.

- F) Where a further assessment of the rating level of noise immissions from the wind farm is required pursuant to Guidance Note 4(c) of the attached Guidance Notes, the wind farm operator shall submit a copy of the further assessment within 21 days of submission of the independent consultant's assessment pursuant to paragraph (E) above unless the time limit for the submission of the further assessment has been extended in writing by the Local Authority.
- G) The wind farm operator shall continuously log power production, wind speed and wind direction, all in accordance with Guidance Note 1(d) of the attached Guidance Notes. The data from each wind turbine shall be retained for a period of not less than 24 months. The wind farm operator shall provide this information in the format set out in Guidance Note 1(e) of the attached Guidance Notes to the Local Authority on its request within 14 days of receipt in writing of such a request.
- H) Where it is proposed to operate any turbine in a reduced running mode in order to meet the limits, no turbine shall be erected until a curtailment plan for the turbines has been submitted and approved in writing by the local planning authority. The curtailment plan shall demonstrate how the limits will be complied with and shall include the following:
- i. Definition of each noise reduced running mode including sound power data;
  - ii. The wind conditions (speed & direction) at which any noise reduced running mode will be implemented;
  - iii. Details of the manner in which the running modes will be defined in the SCADA data or how the implementation of the curtailment plan can be otherwise monitored and evidenced.

The Curtailment Plan shall be implemented in accordance with the approved details

- I) Prior to the First Export Date, the wind farm operator shall submit to the Local Authority for written approval, a scheme of mitigation to be implemented in the event that the rating level, after adjustment for background noise contribution and any tonal penalty, is found to exceed the conditioned limits. The scheme shall define any reduced noise running modes to be used in the mitigation together with sound power levels in these modes and the manner in which the running modes will be defined in the SCADA data.
- J) The scheme referred to in paragraph I above should include a framework of immediate and long term mitigation measures. The immediate mitigation measures must ensure the rating level will comply with the conditioned limits and must be implemented within seven days

of the further assessment described in paragraph F being received by the Local Authority. These measures must remain in place, except during field trials to optimise mitigation, until a long term mitigation strategy is ready to be implemented.

### **Guidance Notes for Noise Condition**

These notes are to be read with and form part of the noise condition. They further explain the condition and specify the methods to be employed in the assessment of complaints about noise immissions from the wind farm. The rating level at each integer wind speed is the arithmetic sum of the wind farm noise level as determined from the best-fit curve described in Note 2 of these Guidance Notes and any tonal penalty applied in accordance with Note 3 with any necessary correction for residual background noise levels in accordance with Note 4. Reference to ETSU-R-97 refers to the publication entitled "The Assessment and Rating of Noise from Wind Farms" (1997) published by the Energy Technology Support unit (ETSU) for the Department of Trade and Industry (DTI).

#### **Note 1**

- (a) Values of the  $L_{A90,10\text{-minute}}$  noise statistic should be measured at the complainant's property (or an approved alternative representative location as detailed in Note 1(b)), using a sound level meter of EN 60651/BS EN 60804 Type 1, or BS EN 61672 Class 1 quality (or the equivalent UK adopted standard in force at the time of the measurements) set to measure using the fast time weighted response as specified in BS EN 60651/BS EN 60804 or BS EN 61672-1 (or the equivalent UK adopted standard in force at the time of the measurements). This should be calibrated before and after each set of measurements, using a calibrator meeting BS EN 60945:2003 "Electroacoustics – sound calibrators" Class 1 with PTB Type Approval (or the equivalent UK adopted standard in force at the time of the measurements) and the results shall be recorded. Measurements shall be undertaken in such a manner to enable a tonal penalty to be calculated and applied in accordance with Guidance Note 3.
- (b) The microphone shall be mounted at 1.2 - 1.5 metres above ground level, fitted with a two-layer windshield or suitable equivalent approved in writing by the Local Authority, and placed outside the complainant's dwelling. Measurements should be made in "free field" conditions. To achieve this, the microphone shall be placed at least 3.5 metres away from the building facade or any reflecting surface except the ground at the approved measurement location. In the event that the consent of the complainant for access to his or her property to undertake compliance measurements is withheld, the wind farm operator shall submit for the written approval of the Local Authority details of the proposed alternative representative measurement location prior to the commencement of measurements and the measurements shall be undertaken at the approved alternative representative measurement location.
- (c) The  $L_{A90,10\text{-minute}}$  measurements should be synchronised with measurements of the 10-minute arithmetic mean wind speed and

wind direction data and with operational data logged in accordance with Guidance Note 1(d) and rain data logged in accordance with Note 1(f).

- (d) To enable compliance with the conditions to be evaluated, the wind farm operator shall continuously log arithmetic mean wind speed in metres per second and wind direction in degrees from north at hub height for each turbine, arithmetic mean power generated by each turbine and any data necessary to define the running mode as set out in the Curtailment Plan, all in successive 10-minute periods. Unless an alternative procedure is previously agreed in writing with the Planning Authority, this hub height wind speed, averaged across all operating wind turbines, shall be used as the basis for the analysis. Each 10 minute arithmetic average mean wind speed data as measured at turbine hub height shall be 'standardised' to a reference height of 10 metres as described in ETSU-R-97 at page 120 using a reference roughness length of 0.05 metres. It is this standardised 10 metre height wind speed data which is correlated with the noise measurements determined as valid in accordance with Note 2(b), such correlation to be undertaken in the manner described in Note 2(c). All 10-minute periods shall commence on the hour and in 10-minute increments thereafter synchronised with Greenwich Mean Time and adjusted to British Summer Time where necessary.
- (e) Data provided to the Local Authority shall be provided in comma separated values in electronic format with the exception of data collected to assess tonal noise (if required) which shall be provided in a format to be agreed in writing with the Local Authority.
- (f) A data logging rain gauge shall be installed in the course of the independent consultant undertaking an assessment of the level of noise immissions. The gauge shall record over successive 10-minute periods synchronised with the periods of data recorded in accordance with Note 1(d). The wind farm operator shall submit details of the proposed location of the data logging rain gauge to the Local Authority prior to the commencement of measurements.

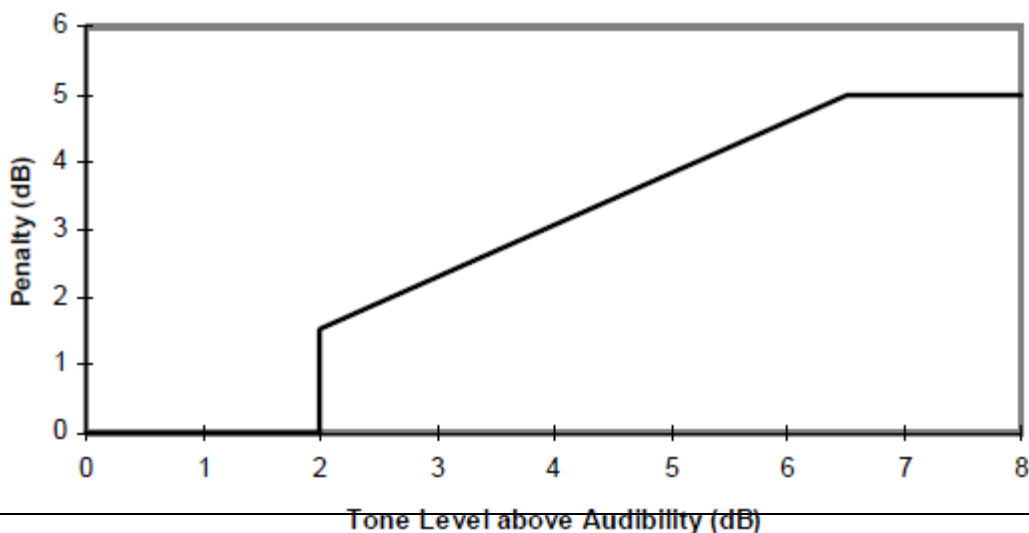
**Note 2**

- (a) The noise measurements should be made so as to provide not less than 20 valid data points as defined in Note 2 paragraph (b).
- (b) Valid data points are those measured during the conditions set out in the assessment protocol approved by the Local Authority but excluding any periods of rainfall measured in accordance with Note 1(f).
- (c) Values of the  $L_{A90,10\text{-minute}}$  noise measurements and corresponding values of the 10-minute standardised ten metre height wind speed for those data points considered valid in accordance with Note 2(b) shall be plotted on an XY chart with noise level on the Y-axis and wind speed on the X-axis. A least squares, "best fit" curve of an order deemed appropriate by the independent consultant (but which may not be higher than a fourth order) shall be fitted to the data points to define the wind farm noise level at each integer speed.



### Note 3

- (a) Where, in accordance with the approved assessment protocol noise immissions at the location or locations where compliance measurements are being undertaken contain or are likely to contain a tonal component, a tonal penalty shall be calculated and applied using the following rating procedure.
- (b) For each 10-minute interval for which  $L_{A90,10\text{-minute}}$  data have been determined as valid in accordance with Note 2, a tonal assessment shall be performed on noise immissions during 2-minutes of each 10-minute period. The 2-minute periods should be spaced at 10-minute intervals provided that uninterrupted uncorrupted data are available (“the standard procedure”). Where uncorrupted data are not available, the first available uninterrupted clean 2-minute period out of the affected overall 10-minute period shall be selected. Any such deviations from the standard procedure shall be reported.
- (c) For each of the 2-minute samples the tone level above audibility shall be calculated by comparison with the audibility criterion given in Section 2.1 on pages 104 -109 of ETSU-R-97.
- (d) The tone level above audibility shall be plotted against wind speed for each of the 2-minute samples. Samples for which the tones were below the audibility criterion or no tone was identified, a value of zero audibility shall be substituted.
- (e) A least squares “best fit” linear regression shall then be performed to establish the average tone level above audibility for each integer wind speed derived from the value of the “best fit” line fitted to values within  $\pm 0.5\text{m/s}$  of each integer wind speed. If there is no apparent trend with wind speed then a simple arithmetic mean shall be used. This process shall be repeated for each integer wind speed for which there is an assessment of overall levels in Note 2.
- (f) The tonal penalty is derived from the margin above audibility of the tone according to the figure below derived from the average tone level above audibility for each integer wind speed.



**Note 4**

- (a) If a tonal penalty is to be applied in accordance with Note 3 the rating level of the turbine noise at each wind speed is the arithmetic sum of the measured noise level as determined from the best fit curve described in Note 2 and the penalty for tonal noise as derived in accordance with Note 3 at each integer wind speed within the range set out in the approved assessment protocol.
- (b) If no tonal penalty is to be applied then the rating level of the turbine noise at each wind speed is equal to the measured noise level as determined from the best fit curve described in Note 2.
- (c) If the rating level lies at or below the noise limits approved by the Local Authority then no further action is necessary. In the event that the rating level is above the noise limits, the independent consultant shall undertake a further assessment of the rating level to correct for background noise so that the rating level relates to wind turbine noise immission only.
- (d) The wind farm operator shall ensure that all the wind turbines in the development are turned off for such period as the independent consultant requires to undertake the further assessment. The further assessment shall be undertaken in accordance with the following steps:
  - i. Repeating the steps in Note 2, with the wind farm switched off, and determining the background noise ( $L_3$ ) at each integer wind speed within the range set out in the approved noise assessment protocol.
  - ii. The wind farm noise ( $L_1$ ) at this speed shall then be calculated as follows where  $L_2$  is the measured level with turbines running but without the addition of any tonal penalty:

$$L_1 = 10 \log \left[ 10^{L_2/10} - 10^{L_3/10} \right]$$

- iii. The rating level shall be re-calculated by adding the tonal penalty (if any is applied in accordance with Note 3) to the derived wind farm noise  $L_1$  at that integer wind speed.
- iv. If the rating level after adjustment for background noise contribution and adjustment for tonal penalty lies at or below the noise limits approved by the Local Authority then no further action is necessary. If the rating level at any integer wind speed exceeds the noise limits approved by the Local Authority then the development fails to comply with the conditions.”

Despite concerns raised by some members regarding the height of the proposed turbines, it was welcomed that the number of turbines had been reduced during the processing of the application.

**Agreed:** to **GRANT** planning permission subject to the conditions and section 75 agreement (if required\*) contained in report PLN/017/20.

\*Following the meeting and having received advice from the Clerk, the requirement for a section 75 agreement was replaced by the following conditions:

“Condition 2 –

There shall be no Commencement of Development until 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 local 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 Company, to the satisfaction of the Roads Authority(s). It will also require the submission of an appropriate financial guarantee, bond or alternative form of security acceptable to the planning authority in respect of the risk of any road reconstruction works.

**Reason:** To ensure financial security for the protection of the road network, and for the cost incurred to repair any damage to the road network.

Condition 3 –

There shall be no Commencement of Development until:

- i. Full details of a guarantee, bond or other financial provision to be put in place to cover all of the decommissioning and Site restoration measures outlined in the Decommissioning and Restoration Plan approved under condition 27 of this permission have been submitted to, and approved in writing by, the planning authority. For the avoidance of doubt the bond must be able to be called upon by The Highland Council and be enforceable against the operator and landowner and/ or leaseholder; and
- ii. Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under part (i) above is sufficient to meet the full estimated costs of all decommissioning, dismantling, removal, disposal, Site restoration, remediation and incidental work, as well as associated professional costs, has been submitted to, and approved in writing by, the planning authority; and
- iii. Documentary evidence that the guarantee, bond or other financial provision approved under parts (i) and (ii) above is in place has been submitted to, and confirmation in writing that the financial provision is satisfactory has been issued by, the planning authority.

Thereafter, the Operator, and Leaseholder and/or Landowner, shall:

- i. Ensure that the guarantee, bond or other financial provision is maintained throughout the duration of this permission; and
- ii. Pay for the guarantee, bond or other financial provision to be subject to a review five years after the commencement of development and

	<p>every five years thereafter until such time as the wind farm is decommissioned and the Site restored.</p> <p>Each review shall be:</p> <ul style="list-style-type: none"> <li>a) conducted by a suitably qualified independent professional; and</li> <li>b) published within three months of each five year period ending, with a copy submitted upon its publication to both the landowner(s) and the Planning Authority; and</li> <li>c) approved in writing by the planning authority without amendment or, as the case may be, approved in writing by the Planning Authority following amendment to their reasonable satisfaction.</li> </ul> <p>Where a review approved under part (c) above recommends that the amount of the guarantee, bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the Operator, and Leaseholder and/or Landowner shall do so within one month of receiving that written approval, or another timescale as may be agreed in writing by the planning authority, and in accordance with the recommendations contained therein.</p> <p><b>Reason:</b> To ensure financial security for the cost of the restoration of the site to the satisfaction of the Planning Authority.</p>	
6.4	<p>Applicant: Lochalsh Estates Ltd (19/01443/PIP) (PLN/018/20)  Location: Land adjacent to Auchtertyre Primary School, Auchtertyre, Balmacara. (Ward 5).  Nature of Development: Masterplan for residential development of 38 (amended from 44) houses with associated open space, school play area, Suds scheme and the formation of new access onto A87(T).  Recommendation: Grant.</p>	
	<p>Members received an update from the case officer following issue of the report. Further representations had been received on the application but no new issues had been raised. In addition, a further consultation response had been received from <b>sportscotland</b> confirming that, provided a suspensive condition was attached to the permission ensuring the delivery of a replacement pitch, then <b>sportscotland</b> did not object to the application.</p> <p>A suggested amended wording for condition 4 was put forward:</p> <p>“Any details pursuant to condition 1 above shall show a new hard surfaced play area and a playing field as generally illustrated on drawing 201 REV H. No development shall begin on site until these facilities have been provided to the satisfaction of the Planning Authority, after consultation with the Education Authority. The new grass pitch/playing field area will have dimensions and specification at least commensurate with the existing pitch and will be designed and constructed by a recognised (e.g. SAPCA* registered) specialist pitch contractor(s)</p>	<p><b>Erica McArthur</b></p>

	<p>*SAPCA is The Sports and Play Construction Association (<a href="http://www.sapca.org.uk">www.sapca.org.uk</a>)”</p> <p>Reason To ensure the timeous provision of these facilities to mitigate the loss of those existing.”</p> <p>Conditions 5 &amp; 6 both require to be amended to refer to condition 4 rather than condition 3.</p> <p><b>Motion:</b> by Mrs I Campbell seconded by Cllr D Macleod to refuse the application for the following reasons: The development factors that constrain development opportunities are considered to be: poor ground conditions, surface water drainage issues, limited sewerage facilities and the length of the pipe connection to reach a sea loch outfall, trunk road severance and need for improved access/traffic calming, loss of locally important agricultural land, steep ground to the north and lack of winter sunlight. This development is not considered to be compatible with Policy 3 – Growing Settlements – of the West Highlands and Islands Local Development Plan 2019 in terms of use, spacing, character and density with development within the settlement. It would result in adverse impact on other locally important natural or cultural features: public viewpoint and open space.</p> <p><b>Amendment:</b> by Ms M Smith seconded by Mr M Finlayson to grant the application subject to the conditions (including the amended condition 4) and the s75 agreement securing developer contributions and affordable housing referred to in report PLN/018/20.</p> <p><b>Vote:</b> Motion: 6 [Mrs I Campbell, Mr J Gordon, Mr D Mackay, Mr C Macleod, Mr D Macleod, Mrs M Paterson]</p> <p>Amendment: 9 [Mr R Bremner, Mr K Currie, Mr M Finlayson, Mr C Fraser, Mr R Gale, Mrs A Maclean, Mr K Rosie, Mr A Sinclair, Ms M Smith] <b>Amendment</b> carried by 9 votes to 6.</p> <p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions (including the amended condition 4) and the s75 agreement securing developer contributions and affordable housing referred to in report PLN/018/20.</p>	
6.5	<p>Applicant: Torabhaig Distillery Ltd (19/02569/FUL) (PLN/019/20) Location: Torabhaig Distillery, Teangue, Isle of Skye, IV44 8RE (Ward 10). Nature of Development: Proposed Dunnage Warehouse. Recommendation: Grant.</p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions contained in report PLN/019/20.</p>	<p><b>Graham Sharp</b></p>
6.6	<p>Applicant: SMECH Properties Ltd (19/03181/FUL) (PLN/020/20)</p>	

	<p>Location: Land to North West of Corriehallie, Glebe Road, Inverinate, Kyle (Ward 5).  Nature of Development: Erection of lodge house, formation of access and installation of drainage system.  Recommendation: Grant.</p>	
	<p><b>Motion:</b> by Ms M Smith seconded by Mr R Gale to refuse the application for the following reasons:</p> <p>While appreciating that part of the application site had a history of permission in principle for development of a house, this is an application for full permission and contains the full siting and design details of the proposed development. Policy 28 of the Highland-wide Local Development Plan requires that developments be assessed against a variety of criteria. While taking on board the case officer's assessment, concern was raised about the impact that the size and siting of the proposed house would have on the residential amenity of the neighbouring houseowner. The opinion was stated that the proposed house does not demonstrate sensitive siting when compared to the existing built development to the east of the application site which has more significant spaces between the properties and when taking on board the size of the applicant's landholding. For the avoidance of doubt, it was stated that the design proposed is of a high quality. It is the size and siting of the proposed development and the proximity to the neighbouring property that gave members concern. The conclusion was that the proposed development would be significantly detrimental in terms of the aforementioned Policy 28 criteria and therefore, would not accord with the Highland-wide Local Development plan. It was stated that there were no material planning considerations that, in the members' view, outweighed my assessment of the application against the development plan.</p> <p><b>Amendment:</b> by Mr D Macleod seconded by Mr R Bremner to grant the application subject to the conditions contained in report ref PLN/020/20 and the upfront payment of an affordable housing contribution of £30,000.</p> <p><b>Vote:</b>  Motion: 9  [Mrs I Campbell, Ms K Currie, Mr M Finlayson, Mr C Fraser, Mr R Gale, Mr C Macleod, Mrs M Paterson, Mr K Rosie, Ms M Smith]  Amendment:  5  [Mr R Bremner, Mr D Mackay, Mrs A Maclean, Mr D Macleod, Mr A Sinclair]</p> <p><b>Motion carried 9 votes to 5.</b></p> <p><b>Agreed:</b> to <b>REFUSE</b> the application for the following reasons:  While appreciating that part of the application site had a history of permission in principle for development of a house, this is an application for full permission and contains the full siting and design details of the proposed development. Policy 28 of the Highland-wide Local Development Plan requires that developments be assessed against a variety of criteria. While taking on board the case officer's assessment, concern was raised about the impact that the size and siting of the proposed house would have</p>	<p><b>Graham Sharp</b></p>

	<p>on the residential amenity of the neighbouring houseowner. The opinion was stated that the proposed house does not demonstrate sensitive siting when compared to the existing built development to the east of the application site which has more significant spaces between the properties and when taking on board the size of the applicant's landholding. For the avoidance of doubt, it was stated that the design proposed is of a high quality. It is the size and siting of the proposed development and the proximity to the neighbouring property that gave members concern. The conclusion was that the proposed development would be significantly detrimental in terms of the aforementioned Policy 28 criteria and therefore, would not accord with the Highland-wide Local Development plan. It was stated that there were no material planning considerations that, in the members' view, outweighed my assessment of the application against the development plan.</p>	
<b>7</b>	<p><b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b>  <b>Co-dhùnadh mu larrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b></p>	
7.1	<p>Applicant: Mr R MacDonald (13/02314/FUL) (PPA-270-2220)  Location: Land to North of Sun Dorne, Jamestown, Strathpeffer, IV 14 9EP (Ward 6)  Nature of Development: Formation of 4 serviced house plots.</p>	
	<p>The Committee <b>NOTED</b> the decision of the Reporter to dismiss the appeal, refuse to vary the terms of the planning permission for the reasons stated in the decision letter and decline the appellant's claim for an award of expenses to be made against the Council.</p>	<b>Susan Hadfield</b>
	<p>The meeting finished at 18:20.</p>	