

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

**5 AUGUST 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 (except item 6.1), Ms K Currie, Mr M Finlayson, Mr C Fraser, Mr R Gale, Mr J Gordon, Mr D MacKay, Mrs A MacLean (except item 6.1), Mr C Macleod, Mr D Macleod, Mrs M Paterson, Mr K Rosie and Ms M Smith (**Chair**).

**Apologies:**

Mr A Rhind and Mr A Sinclair.

**Substitutes:**

None.

**Officers Participating:**

Dafydd Jones – Acting Head of Development Management – Highland  
 Simon Hindson – Team Leader  
 Graham Sharp – Planner  
 Mark Fitzpatrick – Graduate Planner  
 Jane Bridge – Senior Engineer (Development Management)  
 Karen Lyons – Principal Solicitor (Planning) and Clerk  
 Alison MacArthur – Administrative Assistant

<b>ITEM NO</b>	<b><u>DECISION</u></b>	<b><u>ACTION</u></b>
<b>1</b>	<b>Apologies for Absence Leisgeulan</b>	
	Apologies for absence were received from Mr A Rhind and Mr A Sinclair.	<b>N/A</b>
<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>	

	Mrs I Campbell declared a non-financial interest in respect of item 6.1 as she is a member of the applicant's Board.	<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 of the meeting of the North Planning Applications Committee held on 26 June 2020 which were <b>APPROVED</b> .	<b>N/A</b>
<b>4</b>	<b>Major Development Update Iarrtasan Mòra</b>	
	<p>There had been circulated Report No PLN/025/20 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.</p> <p>Members commented as follows:</p> <ul style="list-style-type: none"> <li>• Application ref 20/00539/FUL - Mr C Fraser asked whether a date had been set for the re-arranged the multi-agency meeting? Transport Planning to follow up and confirm to Mr Fraser.</li> <li>• Application ref 18/05159/PIP - Mrs A Paterson requested a response to her outstanding email which she will re-send to the Acting Head of Development Management – Highland.</li> <li>• Application ref 19/04826/FUL - Mr R Gale asked for confirmation as to whether this application would be determined under delegated powers? He was advised that this would depend on the recommendation. Major applications recommended for approval are reported to Committee, major applications recommended for refusal are determined under delegated powers subject to notification of Ward Members. The application is on course for determination in September.</li> <li>• Application ref 19/05404/FUL - Mr M Finlayson asked for an update on the s75 agreement. This will be provided to Mr Finlayson after the meeting.</li> </ul> <p>The Committee <b>NOTED</b> the current position with these applications.</p>	<b>Dafydd Jones/ Simon Hindson/ Jane Bridge/ Karen Lyons</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	
5.1	<b>Description:</b> Sallachy Wind Farm – Erection of a wind farm of up to 9 turbines with a blade tip height of up to 149.9 m, access tracks, access to	

	<p>the public road network, electrical cabling, onsite substation, laydown areas, permanent anemometer mast and other associated infrastructure (generating capacity of up to 50 mW) (20/02189/PAN) (PLN/026/20) Ward: 1 <b>Applicant:</b> Sallachy Wind Farm Ltd <b>Site Address:</b> Land at Sallachy Estate, Lairg.</p>	
	<p>It was clarified that planning permission had not previously been granted for a wind farm at this location. A previous application under s36 of the Electricity Act 1989 had been submitted to and refused by Scottish Ministers. The application now proposed is of a smaller scale but still a major application for the purposes of the Town and Country Planning (Scotland) Act 1997.</p> <p>No additional considerations raised by Members.</p> <p><b>Agreed:</b> to <b>NOTE</b> the submission of the PAN.</p>	<b>Claire Farmer</b>
5.2	<p><b>Description:</b> Lairg II Wind Farm - Construction of a wind farm up to 10 turbines (7 turbines to a maximum tip height of 190 m and 3 turbines to a maximum tip height of 150 m), including associated infrastructure (20/02607/PAN) (PLN/027/20) Ward: 1 <b>Applicant:</b> EnergyFarm UK Lairg LLP <b>Site Address:</b> Land at 100 m SE of 104 Torroble, Lairg</p>	
	<p>Mr R Gale raised concerns that, despite planning permission having only recently been granted for lower height turbines – the case officer being commended on achieving this – the applicant was now seeking permission for taller turbines.</p> <p>Ms K Currie questioned the newspaper being proposed for advertisement purposes. The Northern Scot is incorrect as it covers the Moray area. She also questioned why Dornoch Community Council were to be consulted given that their area was some considerable distance from the application site. Officers confirmed that they would discuss with the applicant the correct newspaper for advertisement. The reason for including Dornoch Community Council may be because a proposed construction transport route passing through that community council area was being considered.</p> <p>Members were advised that the applicant could proceed with the earlier permission if any future application was refused. Mr D Macleod asked that, if the applicant implemented the existing permission, the height of the turbines be checked.</p> <p><b>Agreed:</b> to <b>NOTE</b> the submission of the PAN. Officers to raise with the applicant the points mentioned by Ms K Currie.</p>	<b>Claire Farmer</b>
<b>6</b>	<p><b>Planning Applications to be Determined</b> <b>Iarrtasan Dealbhaidh rin Dearbhadh</b></p>	
6.1	<p><b>Applicant:</b> Lochalsh and Skye Housing Association (19/04529/FUL) (PLN/028/20) <b>Location:</b> Development Site, South of Achmore Road, Kyleakin (Ward 10). <b>Nature of Development:</b> Erection of 32 residential units (28 affordable units),</p>	

	<p>access road and off-site road improvements, associated parking and landscaping (amended description).</p> <p><b>Recommendation:</b> Grant.</p>	
	<p>Member discussion included:</p> <ul style="list-style-type: none"> <li>• Delivery of affordable housing in smaller settlements welcomed;</li> <li>• Contributions to the play park welcomed;</li> <li>• Traffic calming measures, one-way scheme and facilities for pedestrians welcomed;</li> <li>• Proposals to reduce speed limit to 20mph welcomed;</li> <li>• The importance of fibre broadband connectivity.</li> </ul> <p>Members were advised that road traffic measures would be delivered through the appropriate road traffic orders and that fibre broadband connectivity already existed.</p> <p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to conditions and the upfront payment of a developer contribution of £32,600 all as indicated in report PLN/028/20.</p>	<b>Graham Sharp</b>
6.2	<p><b>Applicant:</b> Ben Loyal Ltd (19/05343/FUL) (PLN/029/20)</p> <p><b>Location:</b> Peter Burr Stores, Tongue, Lairg, IV27 4XF (Ward 1).</p> <p><b>Nature of Development:</b> Change of use and erection of extensions to storage buildings to form restaurant. Alterations to Dunvarich House. Demolition of shop, garage, Beechwood Cottage, outbuildings, fuel pumps and underground tank. Erection of shop, fuel station, events space, guest and staff accommodation, microbrewery and site office.</p> <p><b>Recommendation:</b> Grant.</p>	
	<p>Prior to the presentation on the application, Members were advised that, the evening before the Committee meeting, the Council had been copied into a request for an EIA screening direction that had been sent to the Scottish Government by agents acting for objectors to the proposed development. This request had been discussed with the relevant Government officers before the Committee meeting. It had been confirmed that the application could continue to be reported to the Committee and be determined. However, the decision notice should not be released until such time as the request for the screening direction had been determined by Scottish Ministers.</p> <p>During the presentation members were advised that the case officer recommended an additional condition to require submission and approval of a Construction Environmental Management Plan.</p> <p>Member discussion included:</p> <ul style="list-style-type: none"> <li>• Concern expressed about the sufficiency of the proposed grey water and waste containment/disposal elements of the development and the servicing thereof;</li> <li>• Request for clarification as to Scottish Water's response to the application;</li> <li>• Clarification sought as to the future maintenance of the old road bridge which is proposed to be used as part of the dedicated footpath to ensure safe access in and out of the development;</li> <li>• Clarification as to Transport Planning's assessment of the safety of the proposed access to the development given that it is opposite</li> </ul>	<b>Mark Fitzpatrick</b>

	<p>another junction;</p> <ul style="list-style-type: none"> <li>• Request for clarification of the materiality of objections based on competition with existing accommodation providers;</li> <li>• Request for clarification as to whether fibre broadband was in the area;</li> <li>• Support was expressed for a much-needed development given the popularity of the North Coast 500 route and acknowledgement that the inclusive design features incorporated within the development, such as making the accommodation fully accessible, will mean the range of accommodation will be expanded allowing new visitors to be welcomed to the area.</li> </ul> <p>Members were advised about the water and waste services being provided for motorhomes and that Scottish Water had indicated that they were happy to consider a growth project. The grant of planning permission would allow the applicant to take forward their proposals for the additional consents required. It is proposed that the site would be fed by a fresh water connection and there are both temporary and permanent waste disposal elements to the development. If SEPA wanted the waste connection to be to the public sewer, then this would have to be implemented by the applicant.</p> <p>The road bridge is within the application site and a planning condition will secure maintenance of public spaces and infrastructure (including the path and bridge), Transport Planning having specifically requested that maintenance of the bridge be included.</p> <p>Transport Planning explained that, with visibility improvements to the existing access and the low volume of traffic using the access opposite (fire station), they were satisfied with the junction arrangements.</p> <p>Members were advised that protecting existing businesses from commercial competition was not a material planning consideration.</p> <p>Ms K Currie confirmed that fibre broadband was installed at Tongue 2 years ago.</p> <p>Members were advised that, in the opinion of officers, this was not EIA development but that this matter was now in the hands of Scottish Ministers to determine.</p> <p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to conditions all as indicated in report PLN/029/20 including specific mention of the old road bridge in condition 11 and an additional condition to secure submission and approval of a Construction Environmental Management Plan. The decision notice will not be released until such time as the request for the screening direction has been determined by Scottish Ministers and the outcome known.</p>	
7	<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><b>Applicant:</b> Mr Hamish Cromarty (19/04420/PIP) (PPA-270-2225)</p>	

	<b>Location:</b> Land 75 metres North east of Brackla Wood, Culbokie, IV7 8GY (Ward 9) <b>Nature of Development:</b> Erection of house.	
	The Committee <b>NOTED</b> the decision of the Reporter to dismiss the appeal, for the reasons stated in the decision letter.	<b>Rebecca Hindson</b>
	The meeting finished at 1230.	