

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

**15 SEPTEMBER 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, Mr C Fraser, Mr J Gordon, Mr D MacKay, Mrs A MacLean, Mr C Macleod, Mr D Macleod, Mrs M Paterson, Mr A Rhind and Ms M Smith (**Chair**).

**Substitutes:**

None

**Officers Participating:**

Dafydd Jones – Acting Head of Development Management – Highland  
 Simon Hindson (SH) – Team Leader  
 Rebecca Hindson (RH) – Planner  
 Jane Bridge – Senior Engineer (Development Management)  
 Karen Lyons – Principal Solicitor (Planning) and Clerk  
 Alison MacArthur – Administrative Assistant

**Guests:**

Alan Fraser, Flood Risk Management Team.

<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 Ms K Currie, Mr M Finlayson, Mr R Gale and Mr K Rosie.	<b>N/A</b>
<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>	

	None.	N/A
<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 Committee held on 5 August 2020 which were <b>APPROVED</b> .	N/A
<b>4</b>	<b>Major Development Update Iarrtasan Mòra</b>	
	In answer to a question from the Chair, Ms M Smith, the Acting Head of Development Management – Highland advised members of the significant number of wind farm applications already in the planning system, those expected to be submitted before the end of the financial year and the implication on work streams for the case officers involved given that there is a number of unfilled vacancies within the Service.  <b>Agreed:</b> that the Chair would write to the Chief Executive and Executive Chief Officer – Infrastructure and Environment to stress the importance to the Covid-recovery effort of ensuring that Service vacancies be filled.	DJ/SH
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrta</b>	
5.1	Description: Erection of grid stability facility with ancillary works including landscaping, parking, grid connection, drainage and boundary enclosures (20/02866/PAN) (PLN/031/20) Ward: 2 Applicant: WP Grid Services Ltd Site Address: Thurso South Substation, Geiselittle, Thurso, KW14 8YH	
	The Acting Head of Development Management – Highland indicated that the public consultation event had been postponed till a later date. Mrs A Maclean asked whether online consultation would continue after Covid and was advised that this had encouraged public engagement at a time when consultation in person was not possible, but it was acknowledged that reliance solely on technology had the possibility of excluding members of a community.  Other material considerations raised by Members to be brought to the attention of the applicant: <ul style="list-style-type: none"> <li>• Landscaping of the site.</li> </ul>	
<b>5A</b>	<b>Update on Application Previously Determined</b>	
5A.1	Applicant: Ben Loyal Ltd (19/05343/FUL) (PLN/029/20) Location: Peter Burr Stores, Tongue, Lairg, IV27 4XF (Ward 1). Nature of Development: 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. Recommendation: Grant.	
	The Acting Head of Development Management – Highland advised the Committee that the above application, which had been approved at the August meeting of the Committee subject to the decision notice not being released until such time as a request for a screening direction had been determined by Scottish Ministers, would not require Environmental Assessment and therefore the decision notice granting planning permission subject to conditions had been issued.	<b>MF</b>
<b>6</b>	<b>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</b>	
6.1	Applicant: Gillian and Wayne Grant (19/00491/FUL) (PLN/032/20) Location: Land 50 m NE of Mead Leays, Smiddy Wood, Strathpeffer (Ward 5). Nature of Development: Erection of dwelling. Recommendation: Refuse.	
	<p>Clarification was sought by members on the following points:</p> <ul style="list-style-type: none"> <li>• How many houses use the existing access? – Four (including 2 that front the public road)</li> <li>• Could the vegetation affecting the sightlines be addressed by condition? – The sightlines are not within the application site and there is no evidence that the applicant has control of the sightline envelope therefore a condition would not be enforceable. The case officer had not been advised of any agreement reached between the applicant and the relevant neighbours as regards removal of vegetation to ensure clear sightlines in both the short and long term.</li> <li>• Was there another access that the applicant could use? - The access to the east of the application site raised the same concerns from the Flood Risk Management Team therefore was not supported.</li> <li>• An explanation was sought as to why SEPA had not objected but the Flood Risk Management Team had objected – Alan Fraser of the Flood Risk Management Team explained that, as regards access/egress to a development site, SEPA defer to the advice of the Flood Risk Management Team. As regards the access to the application site and the suggested access to the east, both would be affected by a 1 in 10-year flood event. He also explained that, when considering flood risk, the Council considered 1 in 200-year flood risk to property with an allowance for climate change. He also explained the process of submitting flood protection schemes for Government funding. The flood protection scheme in this area is on hold until it is known if funding bid has been successful.</li> </ul> <p><b>Motion:</b> by Mr R Bremner seconded by Mrs M Smith to defer consideration of the application to establish whether all required neighbours are willing to enter a s75 planning obligation to secure sightlines of 2.4m x 120m and once this is known, the application be reported back to the Committee for determination.</p>	<b>RH</b>

	<p><b>Amendment:</b> by Mr D Macleod seconded by Mrs I Campbell to grant planning permission, subject to conditions, for the following reasons:</p> <p>“Having considered the reasons for Refusal the reasons to support the Application and Grant permission outweigh those considerations.</p> <p>1) It appears that there will be no damage to property as where the dwelling is to be built is out with the 1 in 200-year flood extent as stated at Section 7.4 and 10.13 of the Report. In addition dry pedestrian access/egress would be possible to most of the area – as is also stated in the Report - and by providing an alternative access/egress to the East of the Site (to which the Applicant has rights of access) the possibility of being “marooned” by floodwater is further reduced.</p> <p>2) It is considered that visibility will no longer be obscured by vegetation as an arrangement has been reached with the neighbouring boundary owners to remove the vegetation.</p> <p>It is worthy of note that a resident using this access previously ran a child-minding business from this location without any difficulty of access.”</p> <p><b>Vote:</b>  Motion 4 (Mr R Bremner, Mr C Fraser, Mrs A Maclean, Ms M Smith)  Amendment 7 (Mrs I Campbell, Mr J Gordon, Mr D Mackay, Mr C Macleod, Mr D Macleod, Mrs M Paterson, Mr A Rhind)</p> <p><b>Amendment carried 7 votes to 4.</b></p> <p><b>Agreed:</b> to <b>GRANT</b> planning permission, subject to conditions and upfront payment of a developer contribution (specified in paras 10.21-10.22 of the report on handling), for the reasons given in Mr D Macleod’s amendment.</p>	
6.2	<p>Applicant: Scottish Hydro Electric Transmission Plc (20/01014/S37) (PLN/033/20)  Location: Land 1250 M North of Crask Inn, Lairg (Ward 01).  Nature of Development: Installation and operation of 132 kV overhead electric line to connect Creag Riabhach Wind Farm to the grid.  Recommendation: Raise No objection.</p>	
	<p><b>Motion:</b> to raise no objection in accordance with the recommendation.  <b>Amendment:</b> None.  <b>Vote:</b> N/A.</p> <p><b>Agreed:</b> to <b>RAISE NO OBJECTION.</b></p>	

	The meeting finished at 1240.	
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