

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

**10 AUGUST 2021**

**MINUTES**

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 Minute.

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

Mr R Bremner, Mrs I Campbell, Mr M Finlayson, Mr R Gale, Mr J Gordon (except items 6.5 and 7.1), Mr D MacKay (except items 6.5 and 7.1), Mrs A MacLean, Mr C Macleod, Mr D Macleod, Mr A Rhind, Mr K Rosie and Ms M Morley-Smith (**Chair**)

**Substitutes Present:**

Mr A Mackinnon (except items 1-5.6 and items 6.2-6.3)

**Other Members Present:**

**Officers Participating:**

Dafydd Jones (DJ) – Acting Head of Development Management – Highland  
 Mark Harvey (MH) – Team Leader  
 Simon Hindson (SH) – Team Leader – Strategic Projects Team  
 Graham Sharp (GS) – Planner  
 Mark Ripley (MR) – Graduate Planner

Jane Bridge – Senior Engineer (Development Management)  
 Karen Lyons – Principal Solicitor (Planning) and Clerk  
 Alison MacArthur – Administrative Assistant

**Guests:**

None

The Chair re-ordered the agenda items to allow Mr A Mackinnon to be present for the item in his ward (item 6.1). For the purposes of this minute the items remain in agenda order.

<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 intimated on behalf of Mr C Fraser, Mrs M Paterson and Mr A Sinclair.	<b>N/A</b>
<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b>	

	There were no declarations of interest.	N/A
<b>3</b>	<b>Confirmation of Minutes</b> <b>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 8 June 2021 which were <b>APPROVED</b> .	N/A
<b>4</b>	<b>Major Development Update</b> <b>Iartasan Mòra</b>	
	Update: 2 additional applications have been submitted since the report was finalised namely: <ul style="list-style-type: none"> <li>Achany Wind Farm Extension – application for an additional 20 turbines. (Targeting December NPAC).</li> <li>Limekilns Wind Farm – application to vary existing Electricity Act consent to increase the height of all consented turbines to 149.9m. (Targeting October NPAC).</li> </ul> <b>Agreed:</b> to <b>NOTE</b> the report.	DJ/SH
<b>5.</b>	<b>Major Developments – Pre-application consultations</b> <b>Leasachaidhean Mòra – Co-chomhairle Ro-iarrta</b>	
5.1	Description: Residential development and associated infrastructure (21/02349/PAN) (PLN/047/21) Ward: 4 Applicant: Springfield Homes Site Address: Land 120 m North of Glenburn, Station Road, Dornoch	
	<b>Agreed:</b> no additional considerations raised.	GP
5.2	Description: Proposed leisure development comprising change of use and adaptation of existing redundant agricultural building to create approx 1,253 sq m of leisure facilities and change of use of land for the siting of 47 holiday lodges, car parking areas and associated infrastructure (21/02438/PAN) (PLN/048/21) Ward: 1 Applicant: Pure Leisure Group Ltd Site Address: Land 150 m NE of Gledfield Farm Cottage, Ardgay	
	<b>Agreed:</b> no additional considerations raised.	MF
5.3	Description: Residential development comprising of up to 64 homes (21/02533/PAN) (PLN/049/21) Ward: 10 Applicant: Compass Building and Construction Services Ltd Site Address: Land 30 m East of 1 Fladda Crescent, Portree	
	<b>Agreed:</b> no additional considerations raised.	AH
5.4	Description: Bettyhill Wind Farm extension – Erection and operation of a wind farm for a period of 35 years, comprising 11 wind turbines with a generating capacity of 50 mW, access track, borrow pits, sub-station, control building and ancillary infrastructure (21/02801/PAN) (PLN/050/21)	

	Ward: 1 Applicant: Bettyhill 2 Wind Limited Site Address: Land 2375 M SW of Cairnview, Bettyhill	
	<b>Agreed:</b> no additional considerations raised.	<b>SH</b>
5.5	Description: Energy storage facility of up to 49.9 megawatts output comprising fenced compound of battery containers, power converters, transformers, security cameras, access track, drainage pond (21/02937/PAN) (PLN/051/21) Ward: 5 Applicant: Intelligent Land Investments Group Plc Site Address: Land 705 m NW of Grudie Cottage, Grudie, Lochluichart, Garve	
	Mr D Macleod indicated that the road number in the report was incorrect namely "A835" in para 3.2 should be "A832".  <b>Agreed:</b> no additional considerations raised.	<b>SH</b>
5.6	Description: Erection of replacement community campus, incorporating nursery, primary and secondary educational provision for Tain and surrounding catchment, including formation of vehicular access, associated car parking, drop off, playgrounds, soft landscaping, fencing, MUGA pitches, sport pitches, lighting, CCTV cameras, bin store, sub-station and associated footpaths (21/02929/PAN) (PLN/052/21) Ward: 7 Applicant: The Highland Council Site Address: Craighill School, Craighill Terrace, Tain, IV9 1EU	
	Mr A Rhind raised a concern about the lack of public consultation to date (consultation has been online only under Covid restrictions). Given that this is a major application, Mr Rhind requested that the applicant hold their proposed in-person public consultation event in Aug 2021.  <b>Agreed:</b> no additional considerations raised.	<b>CF</b>
<b>6</b>	<b>Planning Applications to be Determined Iartasan Dealbhaidh rin Dearbhadh</b>	
6.1	Applicant: J MacLean (21/00454/FUL) (PLN/053/21) Location: Greenhill Business Park, Kilcoy, Muir of Ord, IV6 7AG (Ward 8). Nature of Development: Change of use of land to storage and distribution. Recommendation: Grant	
	Omission in the report on P64 at Item 4.2 (e) to read "it is understood that the applicant is also the owner of Maclean <b>Properties</b> ". There was a further omission where it should state that there was a representation regarding the possible adverse impact on the public water supply and the response was that the application does not incorporate any new public water connections and there would be no additional staff that would require the use of water.	
	In answer to Members' questions, the planner advised:	

	<ul style="list-style-type: none"> <li>• it was believed that the previous site in Muir of Ord had been rented and the applicant had moved to this site as he owned it;</li> <li>• there would be no external lighting on the site at all and if lighting was subsequently required there would have to be a separate planning application;</li> <li>• there was to be no public access, the storage facility was for businesses only, and the condition stated “Class 6 Use of the site shall be restricted solely to a business offering modular units and plant for hire and shall not include any self-storage units”;</li> <li>• “Nothing shall be stored on the site exceeding a height of 5 metres above the finished ground level on which it sits”, thus ensuring the containers were not stacked more than two containers high; and</li> <li>• condition 10 dealt with contamination.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• understand residents nearby lived in a very rural area and expected a degree of quiet, over the last few years there had been developments which had impacted on the rural area;</li> <li>• it is a local business looking to increase their business on a brown field site;</li> <li>• this was a small part of the site and there were sufficient conditions to address concerns; and</li> <li>• this business site was always tidy and well maintained.</li> </ul>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to conditions.	<b>GS</b>
6.2	<p>Applicant: Caithness Klics (21/01559/FUL) (PLN/054/21)  Location: Playbox Playgroup Land, Macleod Road, Wick, KW1 4JQ (Ward 3).  Nature of Development: Alteration to entrance and boundary, erection of office building and siting of storage container.  Recommendation: Grant</p>	
	<p>In answer to Members’ questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• this application had been brought forward to increase the parking area;</li> <li>• in relation to the issue of title, colleagues in Transport Planning had been unable to clarify if they owned the road itself. Title was not a determining factor as this turning area was not large enough nor of the standard width to enable refuse vehicles to turn. As there was no evidence to suggest it was part of the public road it was understood to be owned by the applicant; and</li> <li>• parking would still be available with the gate in its original position, they would be losing a limited area and would prefer to have the vehicle gate aligned with the pedestrian gate.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• there were several parked cars in that area and the gate would be detrimental to vehicles using this area to turn;</li> <li>• this was a large built-up area and it was no surprise residents mentioned their concerns; and</li> <li>• don’t believe the gate being repositioned would be advantageous.</li> </ul>	
	<b>Motion</b> by Mr R Bremner seconded by Mr D Mackay to defer the	<b>GP</b>

	<p>application and request that, on the grounds of safety, that the plans are re-submitted to show the reinstatement of the gate in its original position.</p> <p><b>Amendment</b> by Ms M Morley-Smith seconded by Mrs A Maclean to grant the application in accordance with the recommendation contained in the report of handling.</p> <p><b>Vote:</b></p> <p><b>Motion – 8</b> (Mr R Bremner, Mrs I Campbell, Mr M Finlayson, Mr R Gale, Mr D Mackay, Mr C Macleod, Mr D Macleod, Mr K Rosie)</p> <p><b>Amendment – 4</b> (Mr J Gordon, Mrs A Maclean, Mr A Rhind, Ms M Morley-Smith)</p> <p><b>Agreed:</b> to <b>DEFER</b> the application for the reasons given in Mr R Bremner’s motion.</p>	
6.3	<p>Applicant: Caroline Clouston (21/01853/FUL) (PLN/055/21)</p> <p>Location: Camerons and Kyleakin Post Office, Kyleakin, Isle of Skye (Ward 10).</p> <p>Nature of Development: Proposed dwellinghouse to replace existing annexe.</p> <p>Recommendation: Refuse</p>	
	<p>In answer to Members’ questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• the future flood risk estimate, taking climate change into account, is 1.5 metres of inundation in a 1:200 year probability event;</li> <li>• the past is not a guide to the future flood risk. Due to climate change, areas that have never flooded are now at a higher risk of a flooding event;</li> <li>• current planning guidelines are that existing dwellings can be extended and it had been suggested to the applicant to consider creating the accommodation that she needs as an extension to the existing property. This extension would not receive the same objection as it would not be seen to increase the population of the area. A new house assumed an increase in the population and therefore triggered the objection from SEPA;</li> <li>• the pre-application consultation had generally supported this application, unfortunately there had been changes due to the flood risk and climate emergency technical assessments following the pre-application advice.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• this house is a rounding up of the houses in the area;</li> <li>• SEPA needed to look at engaging with these communities;</li> <li>• we do have to take climate change into account;</li> <li>• this is a traditional fishing village and this would be a sustainable building. We live in fragile communities and we have to support them; and</li> <li>• without SEPAs objection this appears to be a good site for this building.</li> </ul> <p>The Acting Head of Planning Development – Highland stated that the only reason this report had not been recommended for approval was the objection from SEPA. As our understanding of climate change increases these issues will come to the Committee more frequently. SEPA give professional advice on this topic. The fact that this area has not flooded</p>	

	before does not mean that it will not flood in the future. It is not that the Service is looking to prevent areas from expanding but care needs to be taken as to where development is permitted.	
	<p><b>Agreed:</b> to <b>NOTIFY</b> Scottish Ministers of the Committee's intention to grant planning permission subject to appropriate conditions to be agreed by the local members sitting on NPAC. The following reasons were given in support of granting permission:</p> <p>SEPA's objection and the case officer's assessment indicate that this proposed development is contrary to policy 64 of the Highland-wide Local Development Plan. The Committee acknowledged that the potential for future flooding is a consideration that must be taken into account in the committee's determination of the application. However, as with any consideration that involves assessing the future risk of something happening, there is no certainty that the site will flood. It has no history of flooding. In support of the application, the design and proposed materials are considered appropriate; the site is within the settlement boundary of the village with houses either side; and replacement of the old post office building with a modern dwelling would enhance the streetscape.</p> <p>If our coastal communities are going to thrive, there will need to be a review of those settlements considered at risk from flooding and, where resources permit, steps should be taken to protect them.</p>	<b>MH/MK</b>
6.4	<p>Applicant: Laura Robinson (21/01994/FUL) (PLN/056/21)  Location: 18 Sarclet, Thurmster, Wick, KW1 5TU (Ward 3).  Nature of Development: Formation of 5 caravan/motorhome pitches.  Recommendation: Grant</p>	
	<p>In answer to Members' questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• the siting of the two passing places had yet to be determined, suspensive conditions allow for this to be agreed with roads colleagues;</li> <li>• we don't have details of traffic volume, however Transport Planning had advised that they were satisfied;</li> <li>• it is within the Council's ability to: allow improvements to existing passing places; or for new passing places to be formed;</li> <li>• chemical waste and septic tank waste would be removed from the site;</li> <li>• there was a sturdy post and wire fence in the plan, the Camping and Caravanning Club required that dogs were walked on leads;</li> <li>• engagement with the community was usually undertaken by the Camping and Caravanning Club, engagement was not prescribed by the planning service; and</li> <li>• this was a limited camping site that would only have a small number of caravan sites and therefore vehicles.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• this application was a very difficult one, the site in the application followed a regular crofting field pattern in the area;</li> <li>• the success of the NC500 meant we had wild camping and dirty camping where some people had little respect for the area;</li> <li>• this development would supply prebooked camping only and was limited to five sites being available; and</li> <li>• this road was a dead end that had never had caravans travelling on it</li> </ul>	

	even with the NC500.	
	<p><b>Motion</b> by Mr R Bremner seconded by Mr D Mackay to refuse the application for the following reasons:</p> <p>The scale of the works and the impact of the engineering works associated with the application and the increased traffic volumes will have a significantly detrimental impact on the character and the amenity of the area contrary to policy 28 of the Highland Wide Local Development Plan. The mover and seconder of the motion were not persuaded that the provision of two passing places along the length of the unclassified road to the A99 trunk road would be sufficient to mitigate the impact of the increase in vehicles to the area. Without sufficient mitigation, the development will cause increased detrimental risk for the ability of people to move about safely within the immediate and surrounding area, contrary to Policy 29 of the HwLDP.</p> <p><b>Amendment</b> by Ms M Morley-Smith seconded by Mrs A Maclean to grant the application in accordance with the report of handling.</p> <p><b>Vote:</b>  <b>Motion – 5</b> (Mr R Bremner, Mrs I Campbell, Mr M Finlayson, Mr D Mackay, Mr C Macleod)  <b>Amendment – 8</b> (Mr R Gale, Mr J Gordon, Mr A Mackinnon, Mr A Maclean, Mr D Macleod, Mr A Rhind, Mr K Rosie, Mr M Morley-Smith)</p> <p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to conditions.</p>	<b>MF</b>
6.5	<p>Applicant: Mr and Mrs I MacDonald (21/02119/FUL) (PLN/057/21)  Location: 6 St Gilbert Street, Dornoch (Ward 4).  Nature of Development: Change of use from veterinary practice (class 2) to house (class 1) including external alterations.  Recommendation: Grant</p>	
	<p>In answer to Members' questions, the planner advised:</p> <ul style="list-style-type: none"> <li>• this was originally in residential use and was converted into a commercial property in the 1970s;</li> <li>• the building had a slate roof and conservation roof lights would be recessed into the slate; and</li> <li>• the rear of the building was to have two new roof lights compatible with the conservation area, these would be slightly larger than the front roof lights and would also be fitted with recessed flashing kits.</li> </ul> <p>During debate the following views were expressed:</p> <ul style="list-style-type: none"> <li>• recognise the objections and sympathetic with the community council comments but there was a shortage of accommodation in the area;</li> <li>• this had originally been a house that had been modified for commercial use and was now reverting to residential use;</li> <li>• sympathetic alterations sit well in the area;</li> <li>• only concern was that number six had no garden area; and</li> <li>• the house was compatible with residential use</li> </ul>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to conditions.	<b>MR</b>

7	<b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b> <b>Co-dhùnadh mu Iarrrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b>	
7.1	Applicant: RWE Renewables UK Onshore Wind Limited (19/03015/FUL) (PPA-270-2242) Location: Camster II Wind Farm, land 2000 metres North West of Tannach Hill, Tannach, Wick, KW1 (Ward 3) Nature of Development: Erection of up to 11 wind turbines maximum tip height of 126.5 metres with associated infrastructure.	
	Mr R Bremner noted that there was an error contained on the agenda, namely the application is in ward 3, not ward 1 (corrected above).  The Committee <b>NOTED</b> the decision of the Reporter to allow the appeal and grant planning permission subject to conditions.	<b>GP</b>
	The meeting finished at 1410.	