

**THE HIGHLAND COUNCIL**  
**NORTH PLANNING APPLICATIONS**  
**COMMITTEE**

**10 AUGUST 2022, 10.30AM, COUNCIL CHAMBER, INVERESS**

**MINUTE / ACTION NOTE**

Listed below are the decisions taken by Committee at their virtual Microsoft Teams 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 Sarah Atkin	Ms Jan McEwan (remote)
Mr Michael Baird	Mr Drew Millar
Mr Raymond Bremner (except 6.4 to end) (remote)	Ms Maxine Morley-Smith (except 6.1 & 6.2)
Mrs Isabelle Campbell	Mr Alasdair Rhind
Ms Tamala Collier (remote)	Mrs Margaret Paterson
Mr Richard Gale	Mr Matthew Reiss
Ms Liz Kraft	Mr Karl Rosie (except 6.1)
Mrs Angela MacLean (except 6.4 to end)	Mr Ruraidh Stewart

**Non-Committee Members Present:**

Mr D Louden (remote), Mr P Oldham (remote), Mr R MacKintosh

**Officers participating:**

Mr D Jones, Area Manager - North (DJ)  
Mr S Hindson, Team Leader (SH)  
Mr M Kordas, Planner (MK)  
Mr M Fitzpatrick, Planner (MF)  
Mr M Harvey, Planner (MH)  
Ms G Pearson, Planner (GM)  
Mr M Clough, Senior Engineer, Transport Planning  
Mr D Hopwood, Senior Environmental Health Officer  
Ms K Lyons, Principal Solicitor (Planning)  
Ms R Banfro, Solicitor and Clerk  
Ms F MacBain, Committee Administrator

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

	<b>Leisgeulan</b> There were none.	
		<b>n/a</b>
<b>2</b>	<b>Declarations of Interest Foillseachaidhean Com-pàirt</b> There were 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 action note and minute of the meetings of the Committee held on 15 and 29 June 2022 which were <b>APPROVED</b> .	<b>n/a</b>
<b>4</b>	<b>Major Development Update Iarrtasan Mòra</b>	
	There had been circulated Report No PLN/050/22 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.  A summary was provided on the procedural steps being followed by the Energy Consents Unit for Garvary Wind Farm (application ref 21/01921/S36) further to members receiving correspondence on behalf of an objector to this application in advance of the committee meeting. The applicant had been in touch with the ECU regarding the submission of additional information which the Council would be consulted upon. The Team Leader indicated the procedures that would be followed by the Council depending on whether officers recommend that the Council's objection be sustained or withdrawn.  The Committee <b>NOTED</b> the current position with the applications.	<b>SH</b>
<b>5</b>	<b>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</b>	
<b>5.1</b>	<b>Description:</b> Development of a new 18 hole golf course including associated infrastructure, new access road, drainage and the change of use of the existing farm buildings to form the clubhouse, pro shop and maintenance shed (22/02800/PAN) (PLN/051/22) <b>Ward:</b> 04 <b>Applicant:</b> Communities for Coul Ltd <b>Site Address:</b> Land 1700M NW Of Embo Community Centre, School Street, Embo.  Matters raised by Members included the need to address the economic and environmental impacts.	
	<b>NOTED</b> the application and <b>AGREED</b> Members' comments would be provided to the applicant.	<b>DJ / SH</b>
<b>5.2</b>	<b>Description:</b> Erection of up to 160 residential units and associated infrastructure (22/02547/PAN) (PLN/052/22) <b>Ward:</b> 08	

	<p><b>Applicant:</b> Tulloch Homes  <b>Site Address:</b> Braes Of Conon-South, Conon Bridge</p> <p>Matters raised by Members included concerns about the impact on the Conon Bridge junction with the A835, and the number of indicative houses proposed being in excess of the number identified in the Local Development Plan.</p>	
	<p><b>NOTED</b> the application and <b>AGREED</b> Members' comments would be provided to the applicant.</p>	<b>DJ / SH</b>
<b>5.3</b>	<p><b>Description:</b> Proposed major residential development, associated infrastructure and open space (22/02406/PAN) (PLN/053/22)  <b>Ward:</b> 06  <b>Applicant:</b> Pat Munro Homes  <b>Site Address:</b> Land 220m East of Obsdale Primary School, Milnafua, Aness.</p>	
	<p><b>NOTED</b> the application.</p>	<b>DJ / SH</b>
<b>5.4</b>	<p><b>Description:</b> Erection and operation of an anaerobic digestion plant and ancillary infrastructure (22/02291/PAN) (PLN/054/22)  <b>Ward:</b> 07  <b>Applicant:</b> Acorn Bioenergy  <b>Site Address:</b> Land 350M South Of Fearn Aerodrome, Fearn.</p> <p>Matters raised by Members included the following:</p> <ul style="list-style-type: none"> <li>• the need for traffic and economic impact assessments for the wider area, including the cumulative effect of this and other developments on the village of Fearn;</li> <li>• the need to consult with the aviation authority;</li> <li>• the applicant to be asked to provide an understanding of whether the project would be carbon neutral; and</li> <li>• assurance was required in relation to safety given the proximity of the distillery warehouse and the gas plant flare.</li> </ul>	
	<p><b>NOTED</b> the application and <b>AGREED</b> Members' comments would be provided to the applicant.</p>	<b>DJ / SH</b>
<b>5.5</b>	<p><b>Description:</b> Extension to existing Edinbane substation comprising platform area, indoor switching stations and substation buildings, associated plant and infrastructure, ancillary facilities, laydown area(s) and landscape works (22/03176/PAN) (PLN/055/22)  <b>Ward:</b> 10  <b>Applicant:</b> Scottish Hydro Electric Transmission Plc  <b>Site Address:</b> Land 1105M West Of Glenvicaskill, Balmeanach, Struan.</p>	
	<p><b>NOTED</b> the application.</p>	<b>DJ / SH</b>
<b>5.6</b>	<p><b>Description:</b> Extension to existing Broadford substation comprising platform area, indoor switching stations and substation buildings, associated plant and infrastructure, ancillary facilities, laydown area(s) and landscape works (22/03292/PAN) (PLN/056/22)  <b>Ward:</b> 10  <b>Applicant:</b> Scottish Hydro Electric Transmission Plc  <b>Site Address:</b> Land 1155M NW Of Workshop, Old Corrie Industrial Estate, Broadford.</p>	

	<b>NOTED</b> the application.	<b>DJ / SH</b>
<b>5.7</b>	<p><b>Description:</b> Onshore substation, underground electricity cables, cable landfall and associated temporary and permanent infrastructure to export electricity from Pentland Floating Offshore Wind Farm into the national electricity transmission system network, including Transition Joint Bay, Cable Joint Bays, construction compounds and new and upgraded access tracks (22/03168/PAN) (PLN/057/22)</p> <p><b>Ward:</b> 02</p> <p><b>Applicant:</b> Copenhagen Offshore Partners</p> <p><b>Site Address:</b> Land To South Of Existing Substation, Dounreay Nuclear Research Establishment, Dounreay.</p>	
	<b>NOTED</b> the application.	<b>DJ / SH</b>
<b>6</b>	<b>Planning Applications to be Determined</b> <b>Iartasan Dealbhaidh rin Dearbhadh</b>	
<b>6.1</b>	<p><b>Applicant:</b> The Highland Council - Housing (21/05997/FUL) (PLN/058/22)</p> <p><b>Location:</b> Land 55M North of Towerview, South Argo Terrace, Golspie (Ward 04).</p> <p><b>Nature of Development:</b> Erection of 17 dwellings &amp; associated infrastructure.</p> <p><b>Recommendation:</b> Grant</p>	
	<b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report.	<b>GP</b>
<b>6.2</b>	<p><b>Applicant:</b> Mr Angus Macleod (21/05293/FUL) (PLN/059/22)</p> <p><b>Location:</b> Carnbeag, 1 Earlish, Portree (Ward 10).</p> <p><b>Nature of Development:</b> Extension to a cafe, provision of a larger parking area, siting of a shipping container and provision of a lean to covered walkway.</p> <p><b>Recommendation:</b> Refuse</p> <p><b>Motion:</b> Mr R Stewart, seconded by Mr D Millar, to grant the application subject to conditions (including a condition requiring the completion of the upgraded junction with the truck road) to be agreed by the Chair and Mr Stewart, as the Ward 10 members of NPAC, and the prior submission and approval of a plan indicating that the Council's parking requirements can be met on land owned or controlled by the applicant. The reasons are as follows:</p> <ol style="list-style-type: none"> <li>1. the officer's concerns that the proposed development will result in an unacceptable impact on the residential amenity of the occupants of the neighbouring residential property are not shared. In Mr Stewart's assessment, the distance between the proposed extension and the neighbouring property is sufficient to protect the householders' amenity.</li> <li>2. Mr Stewart is of the opinion that there is sufficient land within the applicant's control to provide the shortfall in parking provision. Prior to the issue of planning permission, the applicant should be asked to submit for approval a plan indicating that the Council's parking requirements can be met on land owned or controlled by the applicant. If approved, it should be delegated to officers to issue planning permission.</li> <li>3. Scottish Planning Policy indicates that the planning system should encourage rural development that supports prosperous and sustainable</li> </ol>	

	<p>communities and businesses whilst protecting and enhancing environmental quality. Mr Stewart was therefore of the view that this development should therefore be supported.</p> <p>There was no amendment.</p>	
	<p><b>Agreed:</b></p> <p>i. to <b>GRANT</b> planning permission subject to conditions as detailed above; and  ii. to <b>NOTE</b> the need for the Council to invest in more enforcement officers.</p>	<b>MH</b>
<b>6.3</b>	<p><b>Applicant:</b> Clark Construction Ltd (18/02212/FUL) (PLN/060/22)  <b>Location:</b> Station Hotel Car Park, Bridge Street, Avoch (Ward 09).  <b>Nature of Development:</b> Erection of 3 houses.  <b>Recommendation: Grant</b></p> <p>Members raised concerns about the limited residential amenity due to the town centre location, but acknowledged the principle of development on the site.</p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report and the following additional condition:</p> <p>An integrated satellite system for television signals shall be adopted to serve the three houses hereby approved. Notwithstanding the provisions of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended, revoked or re-enacted; with or without modification), there shall be no such equipment erected on any external elevation of the houses hereby approved, without the express permission of the Council as Planning Authority.</p> <p>Reason: In order to safeguard the character and qualities of the conservation area.</p>	<b>MK</b>
<b>6.4</b>	<p><b>Applicant:</b> L &amp; M Lynch (21/04517/FUL) (PLN/061/22)  <b>Location:</b> 6 Janet Street, Thurso, KW14 7AR (Ward 02).  <b>Nature of Development:</b> Part change of use to restaurant (retrospective). Installation of external staircase and flue. Addition of 3 guest bedrooms.  <b>Recommendation: Grant</b></p> <p>The Committee <b>AGREED</b> to debate items 6.4 and 6.5 together.</p> <p>Updates were provided on the Conditions for item 6.4 as follows:</p> <ul style="list-style-type: none"> <li>• Condition 4 had been appended to the report that had been issued to Members although would not be included with any permission granted because the agent had provided the required information to the satisfaction of Environmental Health.</li> <li>• Condition 2 should be amended as follows: 'The restaurant and ancillary bar hereby approved shall not be open to customers, and no customer shall be allowed within the restaurant and ancillary bar areas outwith the hours ...'</li> </ul> <p><b>Motion:</b> Mr D Millar, seconded by Mr K Rosie, to grant planning permission as recommended (with amended conditions).</p>	

	<p><b>Amendment:</b> Mr M Reiss, seconded by Ms M Smith, to refuse the application on the basis that the adverse impact on the residential amenity of the occupants of neighbouring properties due to noise (including additional vehicular movements) and odour from the proposed development would be sufficiently detrimental to outweigh any positive economic benefits of the proposal.</p> <p>On a vote being taken, the results were as follows:</p> <p><b>For the motion:</b> Ms S Atkin, Mr M Baird, Mrs I Campbell, Ms T Collier, Mr R Gale, Ms L Kraft, Ms J McEwan, Mr D Millar, Mrs M Paterson, Mr A Rhind, Mr K Rosie.</p> <p><b>For the amendment:</b> Ms M Smith, Mr M Reiss and Mr R Stewart.</p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report (as amended).</p>	<b>MF</b>
6.5	<p><b>Applicant:</b> L &amp; M Lynch (21/04515/LBC) (PLN/062/22)  <b>Location:</b> 6 Janet Street, Thurso, KW14 7AR (Ward 02).  <b>Nature of Development:</b> Installation of external ventilation and chimney stack, formation dormer doorway with fire escape walkway and staircase, external door replacements, reinstatement of gable window, new rooflights, internal alterations including formation of 3 new rooms, bar retention and refurbishment.  <b>Recommendation: Grant</b></p>	
	<p><b>Agreed:</b> to <b>GRANT</b> planning permission subject to the conditions recommended in the report, apart from Condition 2, which should be deleted.</p>	
7	<p><b>Decision on Application called in for determination by Scottish Ministers</b>  <b>Co-dhùnadh mu larrtas air a ghairm a-steach airson dearbhadh le Ministear na h-Alba</b></p> <p><b>Applicant:</b> Mrs Caroline Clouston (21/01853/FUL) (NA-270-002)  <b>Location:</b> Camerons and Kyleakin Post Office, Kyleakin, Isle of Skye, IV41 8PL (Ward 10)  <b>Nature of Development:</b> Proposed dwelling house to replace existing annexe.</p> <p>Mr D Millar expressed his disappointment with the Reporter's decision to recommend refusal to the Scottish Govt based on the proposed development being at risk in a 1 in 200 year flood event. Also, he found it extremely disappointing that it took almost a year to come to that decision. The area in question had never flooded. However, under the current approach to flooding, it would appear that new residential development was unlikely to be supported in such areas, whereas extensions or adaptations to existing living accommodation would be permitted to go ahead. Mr Millar has asked the Council leader to explore with other senior members of the Administration the possibility of raising this matter with the Scottish Government and a response was awaited.</p> <p>Several other Members voiced agreement with Mr Millar's disappointment and the perceived erosion of local democracy.</p>	

	The Area Manager - North, provided a brief summary of the context in which the decision had been taken, and referred to the climate emergency and changing weather patterns that were causing a more preventative approach being taken to coastal development proposals.	
	<b>NOTED</b> the decision of the Scottish Ministers to refuse planning permission for the reasons set out in the reporter's report on the application.	
8	<p><b>Decision of Appeals to the Scottish Government Planning and Environmental Appeals Division</b>  <b>Co-dhùnadh mu Iarrtas do Bhuidheann-stiùiridh Riaghaltas na h-Alba airson Lùth agus Atharrachadh Aimsir</b></p> <p><b>Applicant:</b> M T Austin (PPA-270-2263) (21/04972/FUL)  <b>Location:</b> land 60m NW of 12 Knock Shortie Road, Portmahomack, IV20 1RL (Ward 07)  <b>Nature of Development:</b> erection of three houses.</p> <p>Members expressed disappointment that local democracy was being overturned and emphasised the importance of listening to local people and elected Members.</p>	
	<b>NOTED</b> the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission subject to the six conditions listed in the notice.	
	<b>The meeting ended at 1.20pm.</b>	