

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

9 August 2023, 10.30AM

MINUTE / 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 note.

Committee Members Present:

Ms S Atkin
Mr M Baird
Mrs B Campbell
Ms T Collier
Mr R Gale
Ms L Kraft
Mrs A MacLean
Ms J MacEwan
Mr D Millar – Except item 6.6
Mr M Reiss
Mr A Rhind
Mr K Rosie
Mr R Stewart
Ms M Smith

Non-Committee Members Present:

Mr J Finlayson
Mr D Fraser
Mr P Oldham

Apologies:

Mrs M Paterson
Mr R Bremner

Officers participating:

Mr D Jones, Area Planning Manager – North (DJ)
Ms G Pearson, Principal Planner (GP)
Mr P Wheelan, Principal Planner (PW)
Mr G Sharp, Planner (GS)
Ms E Forbes, Planning Team Leader (EF)
Mr M Clough, Senior Engineer, Transport Planning (MC)
Ms R Banfro, Solicitor (Planning) and Clerk
Ms R, Ross, Committee Officer

ITEM NO	DECISION	ACTION
1	<p>Apologies for Absence Leisgeulan</p> <p>Apologies were intimated on behalf of Ms M Paterson and Mr R Bremner.</p>	
2	<p>Declarations of Interest Foillseachaidhean Com-pàirt</p> <p>Item 6.6 – Mr D Millar</p>	n/a
3	<p>Confirmation of Minutes Dearbhadh a' Gheàrr-chunntais</p>	n/a
	<p>There had been submitted for confirmation as a correct record the action note and minute of the meeting of the Committee held on 7 June 2023 which was APPROVED.</p>	n/a
4	<p>Major Development Update Iarrtasan Mòra</p>	
	<p>There had been circulated Report No PLN/049/23 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.</p> <p>During discussion the following main points were raised:-</p> <ul style="list-style-type: none"> • information was sought and provided on why an Environmental ImpThe act Assessment had not been required for the Acorn Bioenergy anaerobic digester at Fearn; and • it was queried whether Members would receive training on the topic of anaerobic digesters. <p>The Committee NOTED the current position with the applications.</p>	DJ
5	<p>Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais</p>	
5.1	<p>Description: 37MW Battery Energy Storage System (23/02826/PAN) (PLN/050/23) Ward: 2 – Thurso and Northwest Caithness Applicant: Ylem Energy Ltd Site Address: Land 590M NE of Isauld Cottage, Reay.</p>	DJ
	<p>The Committee NOTED the application.</p>	
6	<p>Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh</p>	
	<p>In respect of Standing Order 9 the Committee agreed to consider item 6.1 immediately following item 6.5</p>	

6.2	<p>Applicant: Seaboard Memorial Hall Ltd. (23/02242/FUL) (PLN/052/23) Location: Seaboard Hall and Community Centre, East Street, Balintore IV20 1UA (Ward 07). Nature of Development: Extension to Coastal Sculpture Park. Recommendation: GRANT</p>	GP
	The Committee AGREED to GRANT the application subject to the conditions detailed in the report.	
6.3	<p>Applicant: Gresham House (23/02726/S42) (PLN/053/23) Location: Land at Wathegar, Bilbster, Wick (Ward 03). Nature of Development: Application for non-compliance with Condition 2 (duration of temporary wind farm operational period) of planning permission 10/00042/FULCA (Wathegar Wind Farm Erection of 5 wind turbines with a maximum height of 101m to blade tip, associated infrastructure, and formation of vehicle access). Recommendation: GRANT</p>	MK
	The Committee AGREED to GRANT the application subject to the conditions detailed in the report.	
6.4	<p>Applicant: Creag Riabhach Wind Farm Limited (23/01517/S36) (PLN/054/23) Location: Creag Riabhach, Lairg (Ward 01). Nature of Development: S36 Variation to extend operational life from 25 years to 40 years (14/00004/S36). Recommendation: RAISE NO OBJECTION</p>	MF
	The Committee AGREED to RAISE NO OBJECTION to the application subject to the conditions detailed in the report.	
6.5	<p>Applicant: Mr Dan Corrigan (23/00805/FUL) (PLN/055/23) Location: Land 10M NE Of Shop, 1 Douglas Row, Quay Street, Portree (Ward 10). Nature of Development: Temporary siting of cabin. Recommendation: REFUSE</p>	GS
	The Committee AGREED to REFUSE the application subject to the conditions detailed in the report.	
6.1	<p>Applicant: Mr and Mrs Innes (22/02645/FUL) (PLN/051/23) Location: Land 75m SW of Heights of Kilcoy, Muir of Ord (Ward 08). Nature of Development: Erection of three holiday lodges and associated shared facilities for short term let (tourist) holiday accommodation. Recommendation: GRANT</p>	EF
	The Committee AGREED to GRANT the application subject to the conditions detailed in the report and subject to an additional condition concerning restricting the footprint of the shop, the final wording of the additional condition to be delegated to officers.	
6.6	<p>Declaration of Interest – Mr D Millar declared an interest in this item due to his involvement with Portree Community Council and left the meeting for this item.</p> <p>Mr K Rosie in the Chair.</p> <p>Applicant: Campbell Dickson (23/01144/FUL) (PLN/056/23) Location: Portree Hotel, Somerled Square, Portree IV51 9EH (Ward 10). Nature of Development: Retention of outdoor seating area (previous permission 20/02709/FUL).</p>	MH

	<p>Recommendation: REFUSE</p> <p>Motion: Mr K Rosie seconded by Ms A Maclean to REFUSE the application for the reasons set out in the report.</p> <p>Amendment: Mr R Stewart seconded by Ms S Atkin, as follows:</p> <p>In my assessment of this application and the supporting information it is clear that this proposal can be supported by Policy 7 of The National Planning Framework 4, as well and Policy 57 of the Highland Wide Local Development Plan subject to the conditions and reasons outlined below:</p> <p>Although it is acknowledged that various issues relating to pedestrian and road safety have been raised, it is felt that the broader economic benefits of the development outweigh these concerns. In my assessment Developments in conservation areas will be supported if it can be satisfactorily demonstrated that they will not have an unacceptable impact on the conservation area, in the absence of objection from the historic environment team and subject to the following proposed condition:</p> <p>Condition 1: that the principal elevation of the structure which faces (Northwest) towards the square is to be finished in either black or grey.</p> <p>In my assessment of this proposed application, this will ensure the character and appearance of the Conservation Area is preserved in accordance with Policy 7 of NPF4, Policy 57 of HwLDP and section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997</p> <p>On a vote being taken, the MOTION received 8 and the AMENDMENT received 5 votes, with 0 abstentions, the votes having been cast as follows:</p> <p>For the Motion: Ms B Campbell, Mr R Gale, Ms L Kraft, Ms A MacLean, Ms J MacEwan, Mr M Reiss, Mr K Rosie, Ms M Smith</p> <p>For the Amendment: Ms S Atkin, Mr M Baird, Ms T Collier, Mr A Rhind, Mr R Stewart.</p> <p>Abstention: None</p>	
	<p>The Committee AGREED to REFUSE the application for the reasons detailed in the report.</p>	
7	<p>Decisions by Scottish Ministers and Reporters appointed by the Scottish Government Co-dhùnaidhean le Ministearan na h-Alba agus Luchd-aithisg air an cur an dreuchd le Riaghaltas na h-Alba</p>	
7.1	<p>Applicant: Mr Colin Smith (21/05563/FUL) (PLN/056/23) Location: Land 30M SW Of Ocala, Oldwick, Wick (Ward 03) Nature of Development: Erection of a block of single storey semi-detached houses</p>	MF
	<p>The Committee NOTED the decision of the Reporter to dismiss the appeal and refuse planning permission for the reasons given in the decision letter.</p>	

7.2	<p>Applicant: Mr T Campbell (22/02879/FUL) (PLN/057/23) Location: Windrill, Drumsittal, North Kessock, Inverness, IV1 3XF (Ward 09) Nature of Development: erection of extension, formation of integral self-contained unit, erection of shed and retrospective installation of skate park (ancillary use to main dwelling)</p>	DJ
	<p>The Committee NOTED the decision of the Reporter appointed by the Scottish Ministers to allow the appeal and grant planning permission subject to the nine conditions listed in the notice.</p>	
7.3	<p>Applicant: Meall Buidhe Renewables LLP (20/02659/FUL) (PLN/058/23) Location: Meall Buidhe Wind Farm, Land 4420M NW of Croick Estate, Ardgay, IV27 (Ward 01) Nature of Development: Erection of And Operation Of A Wind Farm For A Period Of 25 Years Comprising Of 8 Wind Turbines Access Tracks, Substation, Control Building, And Ancillary Infrastructure With A Maximum Output Of 40 Megawatts</p> <p>During the discussion disappointment was expressed that the Report did not meet with local people prior to making her decision.</p>	CFM
	<p>The Committee NOTED the Reporter's decision to allow the appeal and grant planning permission subject to the conditions listed in the decision notice.</p>	
7.4	<p>Applicant: Kirkan Wind Farm Limited (19/01861/S36) (PLN/059/23) Location: Land 3015M SE Of Aultguish Inn Garve (Ward 05) Nature of Development: Kirkan Wind Farm - Construction of wind farm comprising of 17 turbines (height to hub 104m, height to blade tip 175m), associated access tracks, borrow pits, compounds, substation and 104m high met mast.</p>	DJ
	<p>The Committee: -</p> <ul style="list-style-type: none"> i. NOTED the decision of the Scottish Ministers to grant consent under s36 of the Electricity Act 1989 and grant deemed planning permission subject to the conditions listed in the decision notice; and ii. AGREED that the Planning Committees to engage with Scottish and UK Governments to consider how local community wealth, arising from renewable energy developments, can be secured for local communities. 	
	<p>The meeting ended at 2.15pm</p>	