

THE HIGHLAND COUNCIL
NORTH PLANNING APPLICATIONS
COMMITTEE

30 JANUARY 2024, 10.00AM

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
Ms B Campbell-except item 6.1
Ms T Collier-except item 6.1
Mr R Gale
Ms L Kraft
Mrs A MacLean
Ms J McEwan
Mr D Millar
Ms M Paterson
Mr M Reiss – except item 6.12 and 6.13
Mr A Rhind
Mr K Rosie
Ms M Smith
Mr R Stewart

Non-Committee Members Present:

Mr D Macpherson
Mr H Morrison

Apologies:

Mr R Bremner

Officers participating:

Mr D Jones, Area Planning Manager – North (DJ)
Mr M Harvey, Planning Team Leader (MH)
Mr P Wheelan, Planning Team Leader (PW)
Mr R Dowell, Principal Planner (RD)
Ms C Farmer-McEwan, Principal Planner (CF)
Ms G Pearson, Principal Planner (GP)
Mr M Kordas, Planner (MK)
Mr G Sharpe, Planner (GS)
Mr L Burnside, Graduate Planner (LB)

Mr M Clough, Senior Engineer (MC)
 Ms R Banfro, Solicitor (Planning) and Clerk
 Ms R Ross, Committee Officer

Also in Attendance:

Ms S Meyer (Third Party)
 Ms J Nicolson, SSEN
 Ms L Riach, SSEN
 Mr S Robertson, SSEN
 Mr A Robinson (Third Party)
 Mr P Smith (Third Party)

ITEM NO	DECISION	ACTION
1	<p>Apologies for Absence Leisgeulan</p> <p>Apologies were intimated on behalf of Mr R Bremner.</p>	
2	<p>Declarations of Interest Foillseachaidhean Com-pàirt</p> <p>The Committee noted the following declaration of interest: -</p> <p>Ms J MacEwan – Item 6.4, Item 6.5</p>	
	<p>At this stage it was brought to Members attention that item 6.10 had been withdrawn from the agenda due to a procedural error relating to the boundaries of the site. Members were advised that further investigation of the site boundaries was required by the applicant before the application was re-advertised and re-circulated prior to prior to the item being bought back to a future planning committee for consideration .</p>	Karolina Slotwinski
3	<p>Confirmation of Minutes Dearbhadh a’ Gheàrr-chunntais</p> <p>There had been submitted for confirmation as a correct record the action note and minute of:-</p> <ul style="list-style-type: none"> i. the North Planning Applications Committee held on 6 December 2024; and ii. the Special Meeting of the North Planning applications Committee held on 17 January 2024 <p>which were APPROVED.</p>	
4	<p>Major Development Update Iartasan Mòra</p> <p>There had been circulated Report No PLN/001/23 by the Area Planning Manager - providing an update on progress of all cases within the “Major” development category currently with the Infrastructure and Environment</p>	DJ

	<p>Service for determination.</p> <p>During discussion an update on when the application for Land 320M SW Of Tore Roundabout Tore Muir of Ord was due to be determined was requested. Members were advised that further information had been requested and received by the case officer at the end of 2023. The application continued to be progressed and the timetable would be adjusted accordingly.</p> <p>The Committee NOTED the current position with the applications.</p>	
5	Major Developments – Pre-application consultations Leasachaidhean Mòra – Co-chomhairle Ro-iarrtais	
5.1	<p>Description: Construction of vertical launch spaceport with launch operations control centre, site integration facility, launch pad complex, antenna park, access road, fencing, services and associated infrastructure. (23/05374/PAN) (PLN/003/24)</p> <p>Ward: 01 - North, West and Central Sutherland</p> <p>Applicant: Sutherland Spaceport Ltd.</p> <p>Site Address: Land 2600M SW of Dunbuie Talmine Tongue.</p>	MK
5.2	<p>Description: The construction and operation of a battery energy storage unit with a maximum installed capacity of 49.9 Megawatts consisting of up to 50 energy storage units and associated electrical equipment sited on a hardstanding within a fenced compound surrounded by peripheral screening landscaping, designed to deliver a net gain in biodiversity. (23/05455/PAN) (PLN/004/24)</p> <p>Ward: 02 – Thurso and North West Caithness</p> <p>Applicant: Whirlwind Renewables</p> <p>Site Address: Land 530M South of Geiselittle Farm, Thurso.</p> <p>During discussion Cllr Reiss highlighted the proximity of this application to the Thurso River.</p>	MK
5.3	<p>Description: Ackron Farm - The Proposed Development will comprise of 11 turbines with maximum tip heights of 200m, a battery energy storage System (BESS) and associated access and ancillary infrastructure (23/05499/PAN) (PLN/005/24)</p> <p>Ward: 01 –North West and Central Sutherland</p> <p>Applicant: Ackron Windfarm</p> <p>Site Address: Land 1575M NE Of Ackron Farm, Golval, Forsinard.</p> <p>During discussion the safety issues surrounding battery storage were raised and it was confirmed that a letter to the Scottish government concerning this has been drafted and would be circulated to NPAC members.</p>	DJ
6	Planning Applications to be Determined Iarrtasan Dealbhaidh rin Dearbhadh	
6.1	<p>Applicant: Scottish Hydro Electric Transmission Plc (23/00070/FUL) (PLN/006/24)</p>	RD

Location: Land 1120m West of Glenvicaskill, Balmeanach, Struan (Ward 10).

Nature of Development: Extension of Edinbane Substation including creation of substation platform, substation buildings, SUDS basin, realignment of track, formation of access junction, temporary construction compound, landscaping and other ancillary works.

Recommendation: GRANT

A pre-determination hearing was held in respect of this item at which the applicant and 3 objectors were present. Parties spoke in support of the application and their representations and were asked questions by members. At the conclusion of the hearing, parties confirmed that they were satisfied with the way the hearing had been conducted.

Mr R Dowell, Principal Planner drew members attention to the following corrections to the report:-

In section 3 of condition 21 the reference made to 7,500 cubic metres of Peat was corrected to 40,000 cubic metres; and the wording for condition 21 and reasoned conclusion was updated to include an overview of significant effects during the Construction period:

Motion: Mr D Millar seconded by Mr K Rosie.

To grant the application subject to the conditions laid out in the report.

Amendment: Mr R Stewart seconded by Mrs M Paterson.

I move that the application is refused on the following grounds.
A 10% BNG cannot be demonstrated without relying on the Skye reinforcement project which the council has planning authority has raised objection to as such this proposal cannot be assessed on its own merits to accord with policy 3 of NPF4.

Additionally due to large size of the buildings and density of the proposed development in my assessment this will have a significant and detrimental impact on amenity 8.28 of the report acknowledges the development is 'stark within the wider open moorland' and in my assessment this proposal represents a detrimental contribution to the architectural and visual quality of the area and as such is contrary to policy 28 & 29 of HwLDP.

There were 9 votes for the motion and 4 votes for the amendment, with no abstentions, the votes having been cast as follows:

For the Motion: Ms S Atkin, Mr M Baird, Ms L Kraft, Ms A MacLean, Mr D Millar, Mr M Reiss, Mr A Rhind, Mr K Rosie, Ms M Smith.

For the Amendment: Mr R Gale, Ms J McEwan, Mrs M Paterson, Mr R Stewart.

The Committee **AGREED to GRANT** planning permission subject to the conditions the drafting of the final wording of conditions being delegated to Officers.

6.2	<p>Applicant: Kirkton Energy Farm Ltd (22/05533/S36) (PLN/007/24) Location: Land 1800m SW of Kirkton Cemetery, Melvich (Ward 01). Nature of Development: Erection and operation of a wind farm comprising of 11 wind turbines of up to 149.9m blade tip height, battery energy storage system, access tracks, substation, control building, 2 borrow pits, temporary construction compound and associated development for a period of 30 years. Recommendation: RAISE AN OBJECTION</p> <p>Visualisation packs, prepared by the applicant were circulated at the meeting.</p> <p>The Committee AGREED to RAISE AN OBJECTION to the application for the reasons detailed in the report.</p>	MK
6.3	<p>Applicant: Highland Wind Limited (23/05263/S36) (PLN/008/24) Location: Development Site 9KM NW Of Dounreay Nuclear Research Establishment, Dounreay (Ward 02). Nature of Development: Pentland Offshore Wind Farm redesign - Erection and Operation of an offshore floating wind farm for a period of 25 years, comprising up to 6 floating wind turbines with a maximum blade tip height of 300m, associated floating substructures with mooring lines and anchors / piles, inter-array cables, 2 export cables, landfall, and associated scour and cable protection measures. Recommendation: RAISE NO OBJECTION</p> <p>The Committee AGREED to RAISE NO OBJECTION to the application.</p>	MK
6.4	<p>Declaration of Interest: Ms J MacEwan declared an interest in this item as the author of the report was a close family member.</p> <p>Applicant: Scottish Hydro Electric Transmission PLC (23/05019/S37) (PLN/009/24) Location: Land 1170M SE Of Tressady, 104 Toroboll, Lairg (Ward 01). Nature of Development: Installation of 3no 132 kV downleads connecting associated underground cable into the existing 132 kV overhead line with ancillary infrastructure including a cable sealing end compound (CSEC), bellmouth access, temporary laydown and construction area. Recommendation: RAISE NO OBJECTION</p> <p>The Committee AGREED to RAISE NO OBJECTION to the application.</p>	CF
6.5	<p>Declaration of Interest: Ms J MacEwan declared an interest in this item as the author of the report was a close family member.</p> <p>Applicant: Abbey Properties Cambridgeshire Limited (20/04455/FUL) (PLN/010/24) Location: Wind Farm Borrowstone Mains, Forss, Thurso (Ward 02). Nature of Development: Forss III Wind Farm - Erection and operation of one turbine with a max tip height of 100m, access tracks, sub-station, transformer unit and ancillary infrastructure</p>	CF

	<p>Recommendation: GRANT</p> <p>The Committee AGREED to GRANT the application.</p>	
6.6	<p>Applicant: Bettyhill 2 Wind Limited (23/00142/FUL) (PLN/011/24) Location: Land 2375M SE Of Cairnview Bettyhill Nature of Development: Bettyhill Wind Farm Phase 2 - Erection and operation of a wind farm comprising up to 10 wind turbines with a maximum blade tip height of 149.9m, substation compound including control building and battery energy storage system, access tracks, temporary borrow pits and construction compound, and ancillary infrastructure. Recommendation: GRANT</p> <p>Visualisation packs, prepared by the applicant, were circulated at the meeting.</p> <p>The Committee AGREED to GRANT the application subject to conditions the drafting of the final wording of the conditions being delegated to officers.</p>	MF
6.7	<p>Applicant: Mr & Mr Roderick & Stuart Thomas (23/00731/FUL) (PLN/012/24) Location: Land To East Of 7 Balmeanach, The Braes, Portree (Ward 10). Nature of Development: Erection of 2no dwelling houses and associated works Recommendation: APPROVE</p> <p>Mr R Stewart moved that condition 3, in relation to the construction of out-buildings be removed. However, he failed to find a seconder and requested that his dissent be recorded.</p> <p>The Committee AGREED to APPROVE the application subject to the conditions set out in the report.</p>	GS
6.8	<p>Applicant: Mrs Queenie Wu (23/03565/FUL) (PLN/013/24) Location: Land 20M NE Of Presbyterian Church Staffin Road Portree Isle Of Skye (Ward 10). Nature of Development: Erection of 2 holiday letting units. Recommendation: APPROVE</p> <p>The Committee AGREED to APPROVE the application subject to the conditions set out in the report with additional footnotes to encourage the inclusion of EV charging points and a fence between the holiday units and the neighbouring property.</p>	GS
6.9	<p>Applicant: Mrs Maureen Davison (23/04440/FUL) (PLN/014/24) Location: 3 Colbost, Dunvegan, Isle Of Skye IV55 8ZT (Ward 10). Nature of Development: Siting of cabin for purposes incidental to the enjoyment of the croft (retrospective). Recommendation: APPROVE</p> <p>The Committee AGREED to APPROVE the application subject to the conditions set out in the report.</p>	GS

6.11	<p>Applicant: Patrick and Maya Kurtz (20/01581/FUL) (PLN/016/24) Location: Skyefall Struan Isle of Skye IV56 8FA (Ward 10). Nature of Development: Erection of house and formation of access. Recommendation: REFUSE</p> <p>Motion: Mr D Millar seconded by Ms B Campbell.</p> <p>To refuse the application.</p> <p>Amendment: Mr R Stewart seconded by Ms M Smith.</p> <p>To grant the application for the following reasons:-</p> <p>The proposed development demonstrates sensitive siting and high quality design in keeping with local character and historic and natural environment and in making use of appropriate materials by the use of natural materials such as slate and the exterior finish (white or off-white render) Given the modest scale of the development I contend this is acceptable in terms of siting and design as it is sympathetic to existing patterns of development within the local area and the proposal can be accommodated in the landscape. And notes that the proposed development will allow people to live, and stay in area. For these reasons I contend this proposal accords with policy 28, 36 of the HWLDP and policy 14 and 17 of NPF4.</p> <p>There were 11 votes for the motion and 4 votes for the amendment, with no abstentions, the votes having been cast as follows:</p> <p>For the Motion: Ms S Atkin, Ms B Campbell, Ms T Collier, Mr R Gale, Ms L Kraft, Ms A MacLean, Ms J McEwan, Ms M Paterson, Mr A Rhind, Mr K Rosie</p> <p>For the Amendment: Mr M Baird, Ms M Smith, Mr M Reiss, Mr R Stewart.</p> <p>The Committee AGREED to REFUSE the application.</p>	MH
6.12	<p>Applicant: North West Highlands Plumbing Services Ltd (23/03272/FUL) (PLN/017/24) Location: 2 Caberfeidh, Smoo, Durness, Lairg, IV27 4QA (Ward 01). Nature of Development: Erection of takeaway building. Recommendation: GRANT</p> <p>The Committee AGREED to GRANT the application subject to the Conditions set out in the report.</p>	LB
6.13	<p>Applicant: Laura Fraser (23/04117/LBC) (PLN/018/24) Location: 1 Ankerville Street, Tain, IV19 1BH (Ward 07). Nature of Development: Installation of composite door. Recommendation: REFUSE</p> <p>Motion: Mr D Millar seconded by Ms A MacLean.</p> <p>To REFUSE the application.</p>	DJ

	<p>Amendment: Mr a Rhind seconded by Ms M Smith.</p> <p>To GRANT the application for the following reasons:-</p> <p>The proposed installation of a replacement composite door in this instance does not conflict with Section 14 of the Planning (Listed building and Conservation Areas) (Scotland) Act 1997; Policy 7 of the National Planning Framework 4; as well as policy 57 of the Highland-wide Local Development Plan 2012.</p> <p>There were 6 votes for the motion and 8 votes for the amendment, with no abstentions, the votes having been cast as follows:</p> <p>For the Motion: Ms S Atkin, Ms T Collier, Ms L Kraft, Ms A MacLean, Mr D Millar, Mr K Rosie.</p> <p>For the Amendment: Mr M Baird, Ms B Campbell, Mr R Gale, Ms J McEwan, Ms M Smith, Ms M Paterson, Mr A Rhind, Mr R Stewart.</p> <p>The Committee AGREED to GRANT the application subject to conditions the drafting of the final wording of the conditions being delegated to officers in consultation with Ward 7 NPAC members.</p>	
	<p>The meeting ended at 6.20pm</p>	