

**THE HIGHLAND COUNCIL**

**NORTH PLANNING APPLICATIONS COMMITTEE  
22 OCTOBER 2013**

Agenda Item	6.4
Report No	PLN/094/13

**13/02272/FUL : Kishorn Port Ltd  
Land At Kishorn Base, Kishorn**

**Report by Area Planning Manager**

**SUMMARY**

**Description :** Extension of existing construction/fabrication yard, including construction of concrete gravity bases, for energy sector, extension of existing quarry, site engineering works, siting of concrete batching plants and erection of industrial buildings

**Recommendation - GRANT**

**Ward :**6 - Wester Ross, Strathpeffer and Lochalsh

**Development category :** Major Development

**Pre-determination hearing :** Not required

**Reason referred to Committee :** More than 5 objections.

**1. PROPOSED DEVELOPMENT**

- 1.1 This proposal involves the redevelopment of the existing Kishorn Yard to form a base for construction, manufacturing and servicing facilities for the off-shore renewables sector. Kishorn Yard is currently in active industrial use and has a history of large scale industrial uses. It is estimated that up to 2,500 jobs could be created in construction, manufacturing, quarrying and support services associated with this application. This proposal has the potential to generate significant economic benefits.
- 1.2 Proposed activities on the site are: the construction of concrete gravity bases for wind turbines using material from the quarry on site; the manufacture and assembly of turbine towers, nacelles and blades; and flotation of the bases into deep water where it is envisaged that the completed structure will be assembled. The concrete gravity bases are 41m in diameter and onshore will be cast up to a height of 25m. Concrete slipforming from 25m to the finished height of 60m will be completed following transfer via a shiplift into the flooded dry dock and floated out to Loch Kishorn. 16m of the structure will be exposed above sea level once the final assembly is completed with the wind turbine mounted. Wind turbine

construction and assembly will be undertaken at the East Quay within the yard, and materials will be brought in by ship. A specialist lifting barge will transport the wind turbine from East Quay to the ballasted gravity base, offshore from West Quay where it will be attached to the base

1.3 In order to facilitate the process of construction of the concrete bases and assembly of the completed structures, development of the existing yard site is required. In summary:

- Extension in area and depth of the existing on site quarry and overburden stripping. 6 million tonnes of rock reserve will provide aggregates on site for concrete gravity base manufacture which is anticipated to require a minimum of 400,000 tonnes per year, some 15 years production. The proposal includes restoration of the quarry thereafter
- Excavation of existing terraced area to create additional level lay down areas required
- Creation of coastal infill to create additional level lay down areas. This will make use of material excavated from the terraced areas.
- Installation of site infrastructure and erection of buildings including:-
  - Utilities and private drainage and water supply to service the site
  - Fencing, lighting and signage
  - Siting of concrete batching plants to service the continuous pour casting operation. Plant will be erected on the level areas adjacent to the dry dock, two units on each side.
  - Erection of lifting platforms in the dry dock
  - Erection of storage/construction/workshop sheds at East Quay and adjacent to the concrete batching plants at West Quay.
  - Erection of worker accommodation units and welfare facilities, this includes portacabin accommodation units required at construction stage when up to 500 employees may be on site. It is intended to increase this accommodation to approx. 750 employees post site set up works. These units will be located adjacent to the vehicle parking area and will also include catering and leisure facilities for the wider accommodation area.
  - Development of an area for workers accommodation on land outwith and adjacent to the north east boundary of Kishorn Yard (subject of a separate planning application - 13/02273/PIP). It is envisaged that up to 2,500 jobs may be created in construction, manufacturing, quarrying and support services. Because of the remote site location and the need for specialist skills personnel will require to be sourced Highland wide and beyond. It is envisaged that personnel will be based on site on a rotational basis with on site accommodation for up to 1,500 persons.

1.4 It is proposed that plant and materials will be brought to the site by sea for both construction and operational stages. The majority of staff will be based in accommodation on-site thereby reducing the requirement for vehicle movements on the local road network. For non-local employees living off-site a transportation plan will be put in place which involves public transport to key pick-up locations, from where they will be bussed or potentially taken by boat direct to site. Daily car movements will relate to local employees traveling to and from work.

1.5 The engineering, construction and commissioning works to the site will be undertaken within a 12 month period prior to the commencement of production and manufacturing.

Operational hours at the site will be variable. The proposed hours of operation are:

Construction operations - 7 day 0600-1900

Concrete production and casting - 7 day 24 hour working

Hard rock excavation and processing - Mon-Sat 0700-1900

Quarry maintenance - Sun 0700-1400

Manufacturing (external) - 7 day 0700-1900

Manufacturing (internal) - 7 day 24 hour working

Servicing - 7 day 24 hour working

Shiploading - 7 day 24 hour working

The quarry operational hours are restricted to those presently permitted.

The above is a brief summary of the proposals, full details are contained in the planning application, Environmental Statement and drawings and should be read in conjunction with this report.

#### 1.6 **Other Regulatory Processes: Marine Licence**

An application for a Marine Licence has been submitted to the government agency Marine Scotland in tandem with this planning application for works in the marine environment under The Marine (Scotland) Act 2010.

There is a degree of overlap with parts of the site engineering works in terms of the terrestrial planning and Marine Licencing regimes as the terrestrial planning system extends to the low mean water springs mark. This applies to rock armour and coastal infill and works to quays. Additional proposals are outwith the planning application and are solely covered by the Marine Licencing regime including the proposed temporary storage areas and anchorages in case of bad weather for turbines in Loch Kishorn.

#### 1.7 **Pre application advice and pre-application consultation**

This proposal has been subject to extensive informal pre application discussions with the Planning Authority, Marine Scotland and relevant consultees including SEPA and SNH. The applicant/agent has also engaged in pre-application discussions with local communities and Community Councils. A masterplan was

submitted formally for pre-application discussion through the Council's major pre-application advice service in spring 2012. The proposal has evolved during pre-application discussions.

- 1.8 The application falls within the major development category and has therefore been subject to the statutory requirements for pre-application consultation in terms of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008. The applicant and agent undertook pre application consultation with the local community at two public events, in January and March 2013. A report of public consultation has been submitted as part of the planning application submission. The Planning Authority is satisfied that the statutory requirements for pre-application consultation have been met.
- 1.9 The developer has also entered into a voluntary processing agreement with the Planning Authority. This sets out key dates and information requirements in the assessment of the proposal and is considered good practice for Major category developments.
- 1.10 The planning application has been subject to an Environmental Impact Assessment in terms of the Town and Country Planning Environmental Impact Assessment (Scotland) Regulations 2011 (and The Marine Works (Environmental Impact Assessment) Regulations 2007 (as amended)). A single Environmental Statement (ES) has been submitted to cover both the terrestrial planning and marine aspects of this proposal. The purpose of the ES is to identify any potential environmental impacts to allow these to be fully considered and to identify mitigation measures and alternatives. The scope of the ES has been subject to extensive discussions with Highland Council, Marine Scotland and relevant consultees. In summary, the ES covers:
- Landscape and visual assessment
  - Restoration of the quarry and the site
  - Blasting and vibration
  - Socio-economic impacts
  - Hydrology and flooding
  - Pollution also including noise and lighting, air quality
  - Access and traffic
  - Management of extractive waste
  - Ecology
  - Cultural heritage

- 1.11 **Variations:** No variations have been submitted during processing of this application.

## 2. SITE DESCRIPTION

- 2.1 The proposal site is within Kishorn Yard. The Yard was established in the early 1970s as an oil platform construction yard for the North Sea oil industry. The coastline was altered with the construction of a large dry dock, excavated into

Torrignonian Sandstone, with the rock used to create adjacent flat foreshore areas. The large concrete Ninian Field Central Platform was cast within the dry dock, and floated out into the deep waters of Loch Kishorn, where it was completed, before being towed to its off-shore location. The yard was then used for the assembly of the metal platform for the Maureen Field and the caissons for the Skye Bridge.

- 2.2 This planning application site extends to a total of 64ha, within the footprint of the existing Kishorn Yard. The site extends in a horizontal line along the shore for approximately 2km. The area for additional employee accommodation on the east side of the Russel Burn is on greenfield land outwith the footprint of the yard and extends to 3.3ha (subject of a separate planning application - 13/02273/PIP)
- 2.3 The yard is currently in active use for industrial and quarrying activities. The applicant, Kishorn Port Ltd is a joint venture between Ferguson Transport (Spean Bridge) Ltd and Leiths (Scotland) Ltd. Ferguson Transport currently operates its logistics, warehousing, sea freight, port operator and shipping business from the existing port and dry dock at the east quay. A range of vessels currently operate out of Kishorn Port, ranging in size from 100-1200 tonnes, with onboard cranes for loading. The port facilities currently include hydraulic cranes, fork lift trucks, telehandlers and warehousing facilities. There are two industrial warehouses which are located close to the quay along with a large workshop and portakabin offices located to the east of the site.
- 2.4 The existing quarry operations are run by Leiths. The quarry at the western end of the site was originally granted planning permission in 2006, it produces construction materials for use in the building/civil engineering industry and is served by sea. It extends to 4.3ha. It comprises an excavation area of 2.3ha with adjacent areas for aggregate processing and stockpiling totalling 2ha. The excavation area granted in 2006 was first implemented in 2008 and is currently only partially developed.
- 2.5 There is a dry dock, this is still utilised as an additional deep water berthing facility and is in functioning order which is situated roughly in the centre of the site between West and East Quays.
- 2.6 There is also a boat repair and maintenance yard and fish farm support services located to the north east of the yard. This includes a number of small sheds. The Corrie Mhor Salmon Farm (smolt production) is located close to the eastern boundary of the Kishorn Yard at Russell. The fish farm and hatchery includes a number of medium sized sheds and tanks. There is an individual residential property close to the salmon farm at Corrie Mhor. It is understood that this property is associated with the fish farm.
- 2.7 The existing yard is accessed from the east, linking with the unclassified Tornapress to Applecross Road.
- 2.8 The settlements of Ardarroch and Achintraid are located directly across Loch Kishorn to the east and south east, at distances of 1km and 1.9km respectively. The site is highly visible from these settlements. Plockton is located 5.5km across Loch Kishorn to the south. Views of the site are obtained from the elevated land at the northern end of Plockton.

- 2.9 In terms of landscape, the site lies on sloping ground with a south eastern aspect, on land between the lower slopes of the Meall Gorm and the coast. The land rises very steeply to the Torridonian Sandstone massifs of Meall Gorm and Beinn Bhan. The lower slopes are hummocky, underlain by glacial till. Rocky outcrops occur and watercourses are cut in bedrock. Heath vegetation dominates. The Allt 'a Chumhaing flows south east from the slopes of Meall Gorm, from Coire na Ba to Loch Kishorn, flowing into the loch at a point some 300m west of the site boundary. On the eastern side of the site, the Russell Burn drains the larger catchment of Core nan Arr, via Loch Coire nan Arr. Minor streams drain the slopes between these watercourses.

### **3. PLANNING HISTORY**

- 3.1 Kishorn Yard has an extensive planning history as an active industrial yard. Full details of this are appended to this report.

### **4. PUBLIC PARTICIPATION**

- 4.1 Advertised : Environmental Statement and Schedule 3  
Representation deadline : 9 August 2013

Timeous representations : 61

Late representations : 6

- 4.2 A number of representations have been received from individuals as well as local businesses, and bodies including the Lochcarron and District Business Association, The Applecross Trust, Lochcarron Development Officer and the Scottish Salmon Company. Themes arising from representations are grouped and summarised under the following headings. Full representations are available in the eplanning case file, which can be viewed on line. All have been fully considered in the assessment of the proposal.

Material considerations raised are summarised as follows:

#### Support

- Benefits to local businesses
- Much needed local employment
- Retention of young people in area in an area of ageing population and benefits for crofting communities.
- Development within Kishorn Yard is identified as a priority for development within the Community Growth Plan (prepared under Fas aig an Oir, Growth at the Edge scheme developed by Highlands and Islands Enterprise).
- Diversification of local economy, tourism alone is not sustainable

#### Objections

- Potential for long term detrimental environmental, economic and social impacts on local and wider area

- Contrary to local and national planning policy and supplementary guidance and advice. The ES is inadequate
- The scale of development is not in line with the ability of nearby settlements to absorb the demand for accommodation services and transport
- The surrounding area has changed since the yard was in large scale use
- No investment in existing communities which would enable the diversification of the population structure or support local infrastructure. Workers will be transient and there is a lack of workers in the local labour market. Socio-economic assessment in ES is inadequate. The proposal is unsustainable
- No benefit to the local community in terms of support for existing facilities/potential for growth of new businesses. With no developer support for additional local/affordable housing, those wishing to relocate to the area will be unable to do so.
- Little if any benefits to local people with workers and supplies brought in from outside the area
- Adverse Impact on tourism and tourist attractions and visitor experience, local businesses – remoteness, wilderness, tranquillity, natural beauty. Tourism is not currently limited to a few weeks of the year.
- Adverse impact on roads. The proposal is not compatible with the existing road infrastructure. The site is not accessible by public transport. Road between the site and Achnashellach would need to be upgraded, and a bypass for Lochcarron main street at the expense of the developer in advance of the site being developed. The proposal is a road safety hazard.
- Bringing workers to the site by means of public transport via transport hubs is unrealistic, most workers will elect to drive to the site.
- Landscape impact and visual impacts, impact on National Scenic Area, views from the Bealach
- Potential for pollution
- Dust pollution
- Noise impacts from expansion of quarry operations and increase in hours of operation to 24 hour activity
- Light pollution from increased lighting
- Adverse impact on wildlife
- Impact on fish farming operations, expansion, bio security threat, potential for pollution
- Additional 4 million tonnes of aggregate will require to be imported to the site to maintain its proposed lifespan of 25 years

- This proposal needs to be seen in the context of other significant developments which are already in place which are further ahead in their development and/or are already operational, have access to workforce and better transport infrastructure (e.g. Nigg, Ardersier, Machrihanish and Arnish).
- Lack of mains sewerage connection
- Impact on tourists and the tourist industry as a distinct group has not been considered
- Lack of public consultation/opportunities for public involvement
- A financial bond should be secured in advance of commencement of operations to provide for the full restoration of the site should they cease trading or be unable/unwilling to fund full restoration for any reason.

#### Non material

- Increase the fear of crime and community safety/security issues. Changes to character of area and fear caused by influx of workers
- Should be a community fund to provide lasting benefits for the area
- Financial uncertainty, uncertainty over who developer will be
- Impact of turbines being constructed and stored temporarily in the loch awaiting departure
- Impact on local medical/emergency services

Representations have been submitted by Lochcarron, Shieldaig and Torridon & Kinlochewe Community Councils. In summary the Community Councils expressed support in recognition of the potential employment and economic benefits of the proposal to the local and wider area. Concern has been expressed about the capacity of the local road network. Opportunities for use of the Kyle railway line have been highlighted.

4.3 All letters of representation are available for inspection via the Council's eplanning portal which can be accessed through the internet [www.wam.highland.gov.uk/wam](http://www.wam.highland.gov.uk/wam). Access to computers can be made available via Planning and Development Service offices.

## 5. CONSULTATIONS

- 5.1 **TECS Contaminated Land:** No objections. The site/parts of the site have a historic use as a fabrication yard which may have resulted in land contamination. Recommend that a condition be attached requiring further contaminated land information (in addition to the information provided in the Environmental Statement) be submitted prior to commencement of development.
- 5.2 **Planning Gain Negotiator:** No objections and no contributions for green infrastructure or transport sought.
- 5.3 **TECS Flood Team:** No objections subject to conditions. The Flood Risk Assessment submitted accords with the principles of Scottish Planning Policy. The minimum finished floor levels of 4.55m AOD to allow 600mm freeboard above the



predicted coastal 1 in 200 year flood level is appropriate. It is considered that a suitable drainage design can be achieved on the site without increasing the flood risk elsewhere. Submission of full drainage details require to be conditioned.

5.4 **Forestry Officer:** No objections, recommend that consideration be given to landscape planting.

5.5 **SNH:** No objections. Consider that the proposal will result in some significant landscape impacts but will not have an adverse effect on the integrity of the Wester Ross National Scenic Area. Advice is provided on potential mitigation and on minimising impacts on habitats and protected species.

5.6 **TECS Environmental Health:**

#### **Construction Noise**

The Council, specifically TECS Environmental Health, has powers under S60 of the Control of Pollution Act 1974 (COPA) to stipulate controls with regard to construction noise. TECS Environmental Health request that the developer applies for consent under S61 of the COPA to discuss and agree the exact restrictions on working hours, limits and practices prior to the commencement of construction approved under this permission. This is outwith the remit of the planning system.

#### **Operational Noise**

The noise assessment submitted has predicted levels arising from the extended quarry operation and from the main noise sources in the fabrication yard. It also includes the results of a background noise survey which shows that background noise levels especially in Ardarroch, can be very low, often below 30dB(A) in the evening and at night. Therefore, it must be acknowledged that operational noise from this development is likely to be clearly audible at times regardless of whether the levels comply with other criteria.

As with construction noise, it is recognised that people are generally accepting of higher industrial noise levels during typical working hours and less so when those hours extend into evenings, night time and week-ends. The proposed development will result in some activity 24 hours a day, 7 days a week.

The lowest predicted levels are at Russel (the area around the fish farm/hatchery to the east) which also has the highest background levels therefore, no noise issues are anticipated at this location although care will need to be taken with the accommodation area to ensure no noise sources are introduced in close proximity to the house.

At Achintraid, 1.9km across the loch, daytime levels are initially predicted at 47dB(A) reducing to 44dB(A) as the plant within the quarry operates at lower levels. In comparison, daytime background levels vary but are generally above 40dB. The impact from noise during typical daytime hours is likely to be marginal. However, it is likely that these levels will be less acceptable at week-ends. Night

time levels are predicted at 43dB(A) in comparison to background levels of 35dB(A). This noise level will be clearly audible outside and the impact on internal levels will depend on the insulation qualities of individual houses.

Properties at Ardarroch, 1km across the loch, are likely to be most affected. Predicted daytime levels are 48dB(A) reducing to 45dB(A). Similarly to Achintraid, daytime background levels vary but are generally above 40dB(A) so the impact of noise from the development during typical daytime hours is likely to be marginal but more so for weekends. The predicted level for night time noise is 44dB(A) compared to a background level of 29dB(A). This is a significant increase of 15dB over the background and is likely to result in complaints.

It is acknowledged that the report states that predicted levels for the quarry represent the worst case scenario and for the fabrication yard levels represent a relatively high production level so actual noise levels are unlikely to be as high as that predicted at all times.

There is an existing condition on the current quarry operation which restricts noise levels to 45dB LAeq 1hr for Mon-Sat and 42dB LAeq1hr at all other times however, it is understood that night time working is infrequent. This condition was mainly intended to allow for unloading activities outwith normal working hours. These levels are based on PAN 50 Annex A: *The Control of Noise at Surface Mineral Workings* Paragraphs 33 and 37. Paragraph 32 of PAN 50 states "The working week should generally be regarded as Monday to Friday, and Saturday morning, while Saturday afternoons, Sundays and Public/Bank Holidays would normally be regarded as periods of rest. Variations on these may be appropriate in some circumstances if agreements can be reached." Paragraph 30 of PAN 50 goes on to say that This Annex recommends a set of absolute values for limits on site-attributable noise, linked to daytime and night-time working periods which are considered to be related to the tolerance levels of most people. It must be stressed that it is not intended that the recommended noise limits should become the norm at which operations work: operators are asked to take any reasonable steps they can to seek to achieve quieter working wherever this is desirable and technically feasible, having regard to the principle of Best Available Technique Not Entailing Excessive Cost.

The noise assessment indicates that the worst case noise levels will not comply with the existing condition. Even allowing for reduction due to less intensive working practices, there is no doubt that the operational norm will be higher than current levels.

The report refers to other noise criteria such as the World Health Organisation guidance and BS 8233 which suggests that 30dB(A) is a good standard in a bedroom and 35dB(A) is a reasonable standard. The rule of thumb is that there is about 10-15dB difference between internal and external noise levels if the window is ajar for ventilation. This would mean a good external level could be anything between 40 and 50dB(A). The predicted levels are around 43 and 44dB(A). Another standard not mentioned in the noise assessment report is BS 4142 *Method for Rating industrial noise affecting mixed residential and industrial areas*. The standard describes a method for assessing whether the noise is likely to give

rise to complaints by subtracting the background noise level from the predicted noise level. The greater this difference the greater the likelihood of complaints. A difference of around +10 dB or more indicates that complaints are likely. A difference of around + 5 dB is of marginal significance. In this case, the greatest difference is in the night time levels at Ardarroch where a difference of up to 15dB(A) may arise. This standard also allows for additional penalties to be added to the noise level if the nature of the noise is considered particularly intrusive.

The site's current and historic uses need to be taken into account when identifying the level of noise that is acceptable. Kishorn yard is an existing industrial site of significant size with a very particular facility in the form of the dry dock. In this context TECS Environmental Health considers that the elevated noise levels arising during typical work hours would be reasonable however, the issue of weekend and night time noise remains.

The significant issue in terms of noise is the low background level especially at night meaning any new noise source is likely to be noticeable. This is further exacerbated by the fact that the intention is for some operations within the site to operate 24 hours a day, 7 days a week giving little respite to residents other than intermittent lulls in operation. Although the predicted noise levels are given as worst case or high production scenarios, it would minimise the likelihood of complaints if noisy operations ceased on Sundays. It is understood that the casting of the bases requires a continuous 24hr process but it is considered that management practices could be put in place for programmed breaks in other noise generating activities on Sundays.

Given the fact that there is an existing noise condition on the quarry operations TECS Environmental Health consider that the following condition should be attached to any consent: -

Noise arising from the development hereby approved shall at no time exceed the following limits as measured in the free field at any noise sensitive properties : -

Monday to Saturday 0700-1900	45dB LAeq 1hr
All other times	42dB LAeq 1hr

For the avoidance of doubt these limits would apply to the cumulative noise from all activities covered by any approval and the existing quarrying operation. These limits would not apply to works which are inaudible at any noise sensitive property.

- 5.7 **Access Officer:** No objections.
- 5.8 **MOD Safeguarding: No objections.** The site is outwith the MOD safeguarding areas.
- 5.9 **TECS Roads:** No objections, agree with proposals. Conditions are required to secure proposals and Section 96 agreement for public road between Tornapress junction and the site.
- 5.10 **HSE: No objections.** HSE records indicate that the proposal is not within any HSE consultation distance, and therefore HSE have no comments.

- 5.11 **Transport Scotland:** No objections. The proposal will not significantly impact upon the trunk road network.
- 5.12 **SSE :** There is a high voltage overhead line crossing the site where the proposed construction yard is.
- 5.13 **Marine Scotland (Aquaculture): No objections.** There are five aquaculture sites located in the vicinity of the site.
- 5.14 **Historic Scotland:** No objections. There will be no direct impacts on assets within Historic Scotland's remit as a result of the proposed development. In terms of indirect and cumulative impacts Historic Scotland are content that there are unlikely to be any significant adverse impacts on assets within their remit.
- 5.15 **SEPA:** No objections, subject to specific conditions which are attached.

## 6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

### 6.1 Highland Wide Local Development Plan 2012

Policy 28	Sustainable Design
Policy 30	Physical Constraints
Policy 31	Developer Contributions
Policy 41	Business and Industrial Land
Policy 42	Previously Used Land
Policy 49	Coastal Development
Policy 53	Minerals
Policy 54	Mineral Wastes
Policy 56	Travel
Policy 57	Natural, Built and Cultural Heritage
Policy 58	Protected Species
Policy 59	Other Important Species
Policy 60	Other Important Habitats
Policy 61	Landscape
Policy 63	Water Environment
Policy 65	Waste Water Treatment

Policy 64	Flood Risk
Policy 66	Surface Water Drainage
Policy 67	Renewable Energy Developments
Policy 72	Pollution
Policy 73	Air Quality

## 6.2 **Adopted Wester Ross Local Plan 2006 (as continued in force)**

Kishorn Yard is identified for redevelopment for a range of industrial/business uses, including potentially small scale mineral extraction and renewable energy.

## 7. **OTHER MATERIAL CONSIDERATIONS**

### 7.1 **Draft Development Plan**

Not applicable

### 7.2 **Highland Council Supplementary Planning Policy Guidance**

Highland Coastal Development Strategy  
 Developer Contributions  
 Flood Risk and Drainage Assessment  
 Highland's Statutorily Protected Species  
 Physical Constraints  
 Sustainable Design Guide  
 Construction Environmental Management Process for Large Scale Projects  
 Historic Environment Strategy  
 Housing in the Countryside: Siting and Design

### 7.3 **Scottish Government Planning Policy and Guidance**

#### **National Renewables Infrastructure Plan**

The National Renewables Infrastructure Plan was produced by Scottish Enterprise in 2010 and outlines the investment required to deliver Scotland's ambition to become a premier location for the manufacturing and deployment of offshore renewable energy devices. Kishorn is identified as one of the sites which would provide investors with the high quality infrastructure required subject to additional enabling site works being undertaken. The NRIP was subject to Strategic Environmental Assessment

#### **Scottish Planning Policy**

Expresses strong support for economic growth and support for business and employment generation on sites identified as being of strategic importance.

#### National Planning Framework for Scotland 2

Promotes sustainable development and mineral supplies and local sourcing commitment to establishing Scotland as a leading location for the development of renewable energy technology and an energy exporter over the long term

PAN 50 – Controlling the Environmental Effects of Surface Mineral Workings

PAN 51 – Planning and Environmental Protection

PAN 60 – Planning for Natural Heritage

PAN 75 – Planning for Transport

PAN 1/2013 Environmental Impact Assessment

PAN 3/2010 – Community Engagement

PAN 1/2011 – Planning and Noise

Ferguson McIlveen 1999, Ross and Cromarty Landscape Character Assessment.  
No 119 Scottish Natural Heritage Review

## **8. PLANNING APPRAISAL**

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

### **8.3 Development Plan Policy Assessment**

The development plan for this site comprises the Highland wide Local Development Plan (HwLDP) 2012 and the Wester Ross Local Plan 2006 (as continued in force), and their associated supplementary guidance documents.

The principle of redevelopment of Kishorn Yard and expansion of operations is established through current and historic uses of the site and the land use allocation provided by the adopted Wester Ross Local Plan. Proposals contained within this application are restricted to the existing footprint and the policy allocation of Kishorn Yard identified by the adopted Wester Ross Local Plan (with the exception of the land reclamation areas).

### **8.4 Wester Ross Local Plan**

The Wester Ross Local Plan identifies the site as being suitable for a range of industrial business uses, including potentially small scale mineral extraction and renewable energy. Issues highlighted:

- Need to ensure that measures are undertaken to avoid water pollution and to protect nearby fish farming
- Improvements may be required to the access road
- Scale of development will require to be in line with the ability of nearby settlements to absorb the demand for accommodation services and transport
- Access by sea will be preferable if possible

- A development brief or framework plan will be required to guide development

It is considered that the proposal accords with the criteria provided by the Wester Ross Local Plan. Potential for pollution and measures to avoid this are identified in the ES and will be regulated by SEPA. No improvements to the road network are required in this case due to the access and transport proposals outlined in the ES. The proposal has been the subject of detailed pre application discussion and a masterplan was submitted formally through the Council's major pre-application advice service. Discussions regarding the masterplan informed the planning application.

- 8.5 The applicable policies from the Highland wide Local Development Plan are listed in section 6.1 above. All relevant development plan policies as well as relevant supplementary guidance and national policy and guidance have been fully considered in the assessment of this proposal.

Although an existing and active industrial site, the site is sensitive due to its proximity to settlements and its location within the Wester Ross National Scenic Area. Key matters for consideration in the assessment of this application relate to potential for impacts on: natural environment, landscape/visual amenity, amenity of residential areas, and access and transport.

**The following groups policy themes into headings and provides an assessment of the proposal against each heading.**

- 8.6 **Business and Industrial Land (Policy 41 of adopted HwLDP)**

Policy 41 of the adopted Highland wide Local Development Plan identifies and supports development of strategic business and industrial sites. Kishorn is specifically identified as an industrial site by the development plan due to its historic and current industrial uses and its special characteristics including deep water port facilities. The principle of this proposal therefore accords with the HwLDP. This proposal would provide employment for a significant workforce, estimated at up to 2,500 as set out in the socio-economic analysis provided in the ES. Opportunities for direct local employment are identified as well as indirect benefits to local businesses such as use of tourist/letting accommodation, provision of supplies, maintenance and support, spending of money in the local economy. The local skill base has been assessed and around 250 people living within a reasonable drive time of the site could be employed. Opportunities for training, apprenticeships and employment for young people to allow them to remain in their local area are identified in the ES. Due to the remote site location and the need for specialist skills personnel will also require to be sourced Highland wide and beyond. The development has the potential to deliver a significant contribution to the Highland economy, to Scotland's GDP and to provide long term, year round employment and related benefits to the local area.

**8.7 Compatibility with public service provision, water supply, drainage and utilities (Policies 28, 65, 66, 72 of the adopted Highland wide Local Development Plan)**

The site currently has private water and drainage provision. The applicant has been in discussion with Scottish Water who has confirmed there is no capacity within the network to support the current proposals. Extension to the water supply and foul drainage provision is proposed to serve the proposed development as well as the proposed accommodation area.

The development will require a significant water supply for drinking, site processing and potentially pollution prevention uses. In addition to the reuse of roof water and other site drainage water the ES states that this will be achieved by way of abstraction from the Russel Burn, collection of hill slope run off to the existing storage pond and an additional pond immediately downslope and by reverse osmosis desalination of sea water from Loch Kishorn.

A foul drainage collection and treatment scheme will produce water to drinking standard which will be recycled for toilet flushing. Any discharge of treated water to Loch Kishorn will be to standards as required by SEPA and will be regulated by them.

The ES contains an assessment of surface water proposals for quarrying, operations, SUDS and grey water collection. No significant environmental impacts are identified. The ES states that appropriate management methods will be employed. Further details of exact proposals are required, however it is considered that a suitable system can be fitted on the site and submission of details can be conditioned.

Some alterations to existing watercourse catchments are required to ensure appropriate site drainage is installed. SEPA are satisfied with the principle of this but request further details through condition in the form of a Watercourse Management Plan

The ES assesses impacts on groundwater during excavation of the terraced area and during quarrying operations as minor. Any effects of groundwater drawdown in the Torridonian Sandstone strata are minor and localised.

The ES states that management and control of operational activities through site procedures will reduce any pollution risk to negligible.

The Planning Authority in consultation with SEPA, TECS Roads and Environmental Health considers that the proposals can be satisfactorily serviced and that the servicing proposals will not have significant environmental impacts.

**8.8 Access and Sustainable Transport (Policies 28 and 56 of the adopted HwLDP)**

The existing access road to the yard is a metalled road in a good state of repair. Road access from the Kishorn Yard leads to the unclassified Applecross-Tornapress road. It is not proposed to make any upgrades to the existing road.



Within the site the existing main access road which connects the east and west ends of the facility, will continue in use, with spurs to the industrial units at East Quay.

Plant and materials will be brought to site by sea for both construction and operational stages. Improvements to berthing facilities are proposed to facilitate this.

It is proposed that the majority of staff will be based in accommodation on-site thereby significantly reducing the requirement for vehicle movements. When leaving site staff will be transported by bus or sea to appropriate drop off locations. For non-local employees living off-site a transportation plan will be put in place which involves public transport to key pick-up locations, from where they will be bussed or potentially taken by boat direct to site. Daily car movements are likely to relate to local employees traveling to and from work. On site parking is proposed to be limited.

The local road network has been assessed and is considered to be capable of accommodating the proposed movements both during and post construction. The potential impact in respect of traffic associated with the development is assessed as low during the construction period and low/negligible during post construction operations.

It is acknowledged that potential for impacts on the local road network and Lochcarron main street and road safety concerns is a key area of concern raised in representations. The Planning Authority in consultation with TECS Roads and Transport Scotland agrees with the assessment contained in the ES and is content with the proposals. In recognition of the fact that the proposal could evolve, it is appropriate to require the submission of an updated traffic assessment and management plans relating to construction and operation through condition. A S96 agreement is required to cover any wear and tear on the section of public road between the junction of the road at Tornapress and the site.

The proposal does not raise issues regarding public access or rights of way.

#### **8.9 Contaminated Land (Policies 28, 42 and 72 of adopted HwLDP)**

A Phase 1 Contaminated Land Assessment was undertaken to inform the approach to development of the site, given the site's current and previous uses. This is incorporated into the ES. The Planning Authority, in consultation with TECS Contaminated Land is satisfied that the site is developable based on information available to date. Further detailed information is required, it is appropriate to condition submission of further details.

#### **8.10 Reuse of brownfield sites, waste minimisation, energy efficiency (Policies 28 and 54 of adopted HwLDP)**

The proposal utilises an existing brownfield site and reuse of on site materials through infill and landscaping works. Waste is minimised, where appropriate materials are reused and a waste management plan has been provided. Site investigation and risk assessment has been undertaken by the applicant and it has

been demonstrated that the site is suitable for the proposed purpose. Any mineral waste which cannot be utilised in concrete batching shall be retained on site and utilised to assist in regrading works at restoration.

#### **8.11 Siting, design, external appearance of development and relationship with existing patterns of development (Policies 28 and 29 of adopted HwLDP)**

A development brief is included in the ES for proposed built development within East Quay. The brief also addresses statutory requirements for a design and access statement. The brief together with the ES addresses the sustainability of the proposed development.

The East Quay incorporates the warehouse and workshop facilities with associated level laydown and construction areas. The proposed sheds are significant in terms of their scale and massing and have an industrial/agricultural appearance. The largest structure proposed is the fabrication building, 100m x 65m x 37.8m in height at its highest point. This has a rectangular form and a curved roof. Buildings of the scale proposed are required to provide large undercover floor space and greater clearance for internal overhead travelling crane facilities. Smaller workshop industrial units form the remainder of building provision at East Quay. These are: 10m x 30m x 8m at the highest point; 32m x 64m x 17m at the highest point; and 24m x 56m x 8m at the highest point. The workshop buildings have a simple rectangular footprint and dual pitched roof. East Quay is also the location of the proposed on site work-force accommodation and welfare units. This accommodation will provide for up to 750 staff and includes limited parking provision.

The layout of the buildings proposed is appropriate for the site's context. Buildings of similar size are grouped and buildings are aligned to present their smallest dimension in closest views. Larger buildings are sited to screen smaller buildings and activities. It is proposed to delineate zones by access roads and spurs and to use the parking area to separate workforce accommodation and welfare facilities from the industrial use area.

The simple design of the buildings is appropriate in this location as is the use of non- reflective neutral brown finishing material on external walls. Windows will incorporate shuttering to reduce light emissions in hours of darkness.

The accommodation and welfare units proposed are low level modular 'bunkabin/portacabin' sleeper units. Given the temporary nature of this type of construction, it is appropriate to grant these temporary planning permission.

Assessment of the buildings in the landscape is outlined in section 8.15 of this report.

Lighting will be required at East Quay due to activities which will be ongoing 24hours a day. Impact of lighting is considered in section 8.20 of this report.

The siting, design and external appearance of the buildings and development at East Quay and fit in the landscape is considered acceptable.

Three shed buildings are proposed adjacent to the concrete batching area, these are also considered to be acceptable in terms of siting, design and appearance.

The appearance of the site engineering works within the remit of the planning system is also considered acceptable.

**8.12 Appropriate mix of development, community safety, economic and social development of community (Policy 28 of the adopted HwLDP)**

It is proposed to provide onsite workers accommodation due to the remote location of the site. The socio-economic assessment provided in the ES identifies potential workforce and it is acknowledged that workforce from outwith the local area will be required. In this instance on site modular accommodation is considered the most appropriate and sustainable solution to providing accommodation for workers as there is no capacity within the local settlements for the level of accommodation required and given the timescales for it to be delivered. Onsite accommodation also reduces the need for daily travel to work.

The proposal will help to support local communities in an identified fragile area in that it will offer employment opportunities for local people which will assist with population retention. Opportunities for community integration can be identified through a Local Liaison Group. The establishment of such a group is a condition of planning permission. It is also considered likely that workers will utilise local facilities and shops outwith their working hours.

It is not appropriate to consider the potential for changes to the character or security/perceived security of the local area resulting from an influx of workers.

**8.13 Physical constraints - Flood Risk (Policies 30 and 64 of the adopted HwLDP)**

The application indicates that finished ground levels, access routes and floor levels will all exceed the expected 1 in 200 year coastal flood level for the area and will incorporate a reasonable freeboard allowance (0.6m). In consultation with SEPA and TECS Flood Risk Team, the Planning Authority is satisfied that the development, including any landraising to achieve the above, will not have any adverse impact on flood risk elsewhere. The assessment in the ES concludes that the proposal will not compromise the objectives of the Water Framework Directive.

The potential for flooding, as a consequence of the development is assessed as negligible. The Planning Authority in consultation with SEPA and TECS Flood Risk Team is satisfied that the proposal will not represent an unacceptable flood risk.

**8.14 Developer contributions (Policy 31 of the adopted HwLDP)**

The Council's planning gains negotiator has advised that the proposal does not create a need for new or improved services which would require a developer contribution.

**8.15 Compatibility with landscape character and capacity (Policies 28, 49, 57 and 61 of the adopted HwLDP)**

The ES assesses the potential landscape and visual impacts of the proposal on landscape character, in respect of the landscape resource, and on human beings in terms of visual amenity. Landscape and visual impacts are related but are independent issues. Landscape impacts relate to effects on the landscape as a resource in its own right. Visual impacts relate to effects on specific views and on the general visual amenity experienced by people.

The site is located within the Wester Ross National Scenic Area. The main policy context for assessment of impacts on the NSA designation is provided by Policy 57 of the adopted Highland wide Local Development Plan. Policy 57 states that for features of national importance we will allow developments that can be shown not to compromise the natural environment, amenity and heritage resource. Where there may be any significant adverse effects, these must be clearly outweighed by social or economic benefits of national importance. It must also be shown that the development will support communities in fragile areas who are having difficulties in keeping their population and services.

The proposal will result in additional, industrialised infrastructure and activity within the existing footprint of the former Kishorn Yard. Past and current development has already had an impact on the special qualities and the increased scale and mass of the new structures and buildings along with the intensification of activity will further highlight the presence and impact of the yard within the wider landscape.

This intensification in development and use will have an adverse effect on the appreciation of the special qualities of the area in particular the superb coast and coastal views; a landscape of many layers, with visual continuity of coastal, moorland and mountain; spectacular and magnificent mountains and recognisable mountain profiles.

These effects will be least significant from views from within the NSA, such as viewpoint 1 at the layby at Cnoc nan Uan on the Bealach na Ba due to the development being sited low within the landscape allowing the focus of views to be maintained on the sea loch, adjacent coastal edge and receding horizon and maintaining the sense of distance and space.

Adverse effects will be greatest in near views looking into the NSA from the south and south east (e.g. from viewpoints 2 and 3 at Seafield and Achintraid). From here it is considered that the intensification of land use will shift the focus from the layered landforms to the site itself. This will result in a medium magnitude of change to the special quality of a landscape of many layers, with visual connectivity of coastal, moorland and mountain. The restriction of development to the coastal strip means impacts on the spectacular and magnificent mountains and recognisable mountain profiles are less

Overall, these additional impacts will be localised and will reinforce the existing, established industrial nature of this part of the NSA. Although there will be an intensification of development and use, this remains within the current footprint, set low down on the coastal edge against a strong backdrop of mountain and coast. The reclamation of the foreshore and consolidation and expansion of the site in a predominantly horizontal axis will result in the site having a greater presence but still represent a lesser component without detriment to the wider landscape setting of this area. It is therefore considered that this additional development will not affect the integrity of the NSA.

Measures have been identified in the ES to reduce landscape impacts in terms of approaches to site engineering, restoration, siting, design and external appearance of buildings.

The landscape and visual assessment provided in the ES has been reviewed by the Planning Authority in consultation with SNH. It is considered that the proposal will bring about change in landscape and visual terms, however, it will not have an adverse effect on the integrity of the Wester Ross NSA designation.

**8.16 Safeguard natural and cultural heritage assets, protected and other important species, habitats and non renewable resources (Policies 28, 57 58, 59 and 60 of the adopted HwLDP)**

Surveys have been carried out to assess the presence of and potential for impact on protected species and potential for impacts on designations - The Beinn Bhan SSSI /SPA is located approx. 500m to the north at its closest point, on the northern side of the Bealach na Ba road. Rassal SSSI/SAC is located approx. 2.1km to the north east at its closest point, at the junction of Tornapress.

The Planning Authority in consultation with SNH agree that existing habitats on the site are not exceptional and that restoration to a mix of heath and grassland will improve biodiversity and provide a better integration of the site to the surrounding hillside. The restoration chapter of the ES, refers to the use of a 'nurse' grass crop as well as locally sourced heather brush. The Planning Authority considers, in consultation with SNH that a species mix appropriate to the site should be used, it is appropriate to condition this.

The otter surveys undertaken in 2011, 2012 and 2013 did not reconfirm the presence of otters except at one location adjacent to the Russel Burn. However, it is acknowledged that it remains likely that otters will be present within the vicinity of the site from time to time. Given their protection as European Protected Species the ES states that pre construction surveys should be carried out prior to each phase of development to determine whether the current situation has changed and there becomes a requirement for mitigation and or a licence. This approach is supported by the Planning Authority in consultation with SNH.

Potential for impacts on the ecology of the marine environment will be addressed by Marine Scotland and SNH's licencing regimes.

Ecological impacts are assessed in the ES as being generally negligible in terms of activities within the remit of the planning system.

**8.17 Cultural Heritage (Policies 28 and 57 of the adopted HwLDP)**

The assessment of historic assets within and outwith the site indicates that impacts will be negligible, as no assets, other than the Kishorn Yard site itself are directly affected. Kishorn Yard is recognised as an industrial historic asset, in relation to the development of the oil industry in Scotland. The mitigation proposed is the production of a volume of records of the history of the site and containing the experiences of local communities and of local people who were employed there during that period. The ES states that a programme of archaeological evaluation will be undertaken and mitigation will be identified to ensure the appropriate treatment of any unexpected discoveries. The Planning Authority in consultation with Historic Scotland agrees with the assessment contained within the ES.

**8.18 Mineral extraction and Quarry Expansion (Policies 53 and 54 of the adopted HwLDP)**

The principle of extension of an existing operation/site is supported in principle by Policy 53 of the adopted Highland wide Local Development Plan. In accordance with Policy 53 a decommissioning and restoration plan is proposed for the quarry and wider site including the terraced area behind west quay, level areas adjacent to the dry dock, the accommodation area and a progressive restoration scheme for the quarry.

The detailed proposals for the quarry extension are considered acceptable in terms of Policy 53 and the on site quarry will meet the needs of concrete batching.

**8.19 Restoration (Policies 28 and 53 of the adopted HwLDP)**

As noted above, progressive restoration is proposed for the quarry. It is appropriate to condition submission of full restoration details including timescales for the entire site. It is also appropriate to secure details of a financial bond for restoration through condition.

**8.20 Pollution Prevention and Environmental Management (Policy 72 of the adopted HwLDP)**

The ES provides environmental mitigation measures and a draft Construction Method Statement and Construction Environmental Management Plan. These have been subject to consultation with SEPA and are generally acceptable. Detailed and a site specific Construction Environmental Management Plan and Operational Management Plan can be secured by condition.

**8.21 Pollution (Policies 28, 63, 72 and 73 of the adopted HwLDP)**

**Air quality**

A full site Dust Management Strategy has been proposed which includes dust suppression and the cessation of construction operations if necessary during adverse weather conditions. The Dust Management Strategy also covers quarry operations, including the screening and processing of aggregates for concrete. With the implementation of a full site Dust Management Strategy the potential for a significant impact due to dust emission from the site is assessed as negligible and it is unlikely that there will be any reduction in air quality. The Planning Authority in consultation with TECS Environmental Health is content with this approach. No significant air quality issues have been identified in respect of vehicle movements.

**Lighting**

Full details have not been provided at this stage as this depends of the operational requirements of the site operator. It is recognised that lighting has the potential to impact on visual/residential amenity. It is therefore important that a lighting plan is produced that addresses issues of light pollution and spill both within and outwith the site relative to the specific operational requirements. Submission of this can be conditioned. It is considered based on the outcome of the ES and experience elsewhere that the issues associated with lighting can be appropriately addressed.

### **Blasting and Vibration**

The ES states that the effects from vibration are low and within British Standard Guideline limits for excavation of the terraced areas and for blasting within the quarry. An assessment of blast vibration levels is also contained within the ES and concludes that these will not affect salmon rearing operations at the neighbouring fish farm. No issues have been raised by consultees regarding vibration and blasting.

### **Noise**

Potential for noise impacts can be divided into construction and operational noise. These issues have been comprehensively considered by TECS Environmental Health and this is set out in the consultation section of this report. The potential for impacts of the development on amenity and the site's current and previous uses are determining factors in the consideration of acceptable noise limits. The Planning Authority fully endorses TECS Environmental Health's position. Construction noise will be managed by TECS Environmental Health through S60 of the Control of Pollution Act 1974. Maximum noise levels for operation can be established through condition and can be managed by the site operator through management practices.

The Planning Authority is aware of the sensitivities associated with noise, however, the historical context of the site is a material consideration and the level of noise generated is greater than what would normally be found in rural locations. In this context it is accepted noise generated will be greater than currently experienced, however the parameters proposed by TECS Environmental Health are considered appropriate in the instance. Noise impacts can be reduced through appropriate conditions including limitations of the type of work permitted on a Sunday working and a mechanism for resolving potential noise concerns through the liaison group, detailed in 8.22 below. In addition to the measures detailed above, TECS Environmental Health also have power to pursue any breaches under their own regulatory powers.

Noise impacts of development on the onsite workers accommodation approved as part of this application and planning application 13/02273/PIP is not of concern as these units are part of the overall development.

## **8.22 Impact on individual and community residential amenity (Policy 28 of the adopted HwLDP)**

The key aspects of the proposal which could impact on individual and community residential amenity and which have been raised by representations relate to: disturbance from traffic, noise, light, landscape and visual effects and an assessment of the proposal in relation to these issues is outlined above. It is acknowledged that the proposal will introduce physical and environmental changes to the area from the current situation. However, it must also be recognised that the site forms part of an active industrial yard with a history of large scale industrial operations. The proposal consolidates and expands this existing operational industrial site. Potential impacts of this proposal and ways to reduce impacts have been identified through pre application discussions and consultations, and through

the EIA process. On balance, taking all factors into account, it is not considered that the development will result in significant detrimental impacts on individual and community residential amenity.

It is considered that the establishment of a liaison group to promote effective communication between the developer, local community interests and officials from the relevant agencies would be an appropriate way for the developer to quickly respond to issues of concern at the site should any arise during construction or operation. The most appropriate way of doing this would be through representatives from the Community Councils being brought onto this group along with relevant officials from the respective agencies. This can be secured by condition. There is an existing liaison group in place for the quarry. The Planning Authority considers that this is a useful model and is not aware of any significant issues associated with operation of the existing quarry.

## 8.23 **Material Considerations**

The following addresses material considerations raised by third parties which are not already addressed in the policy assessment above.

The potential for impacts on existing business and tourism and the attraction of tourists to the area is a concern which has been raised through representations. Kishorn Yard is not used for any specific tourist or recreational activity. The development would not prevent members of the public participating in existing activities in the area. It is recognised that the quality of scenery is one of the most significant attractions of the Highlands and one of the key reasons visitors return. It could be assumed that any adverse visual impact created by the development might result in the quality of the visitor experience being diminished and therefore the likelihood of return visits and associated spending in the locality could be reduced. Equally, however it could be argued that given the range and nature of activities in and around Kishorn, the visual impact of the development would result in only a minor impact on the overall visitor experience.

The Planning Authority is sympathetic to the concerns of the fish/shellfish operators. It is however considered that concerns regarding bio-security can be addressed through management practices. Pollution prevention will require to be managed by the developer/site operator and will be regulated by SEPA. Potential for impacts on the marine environment will also be assessed by Marine Scotland through their licensing regime. In recognition of the concerns raised, a footnote is proposed to draw this to the developer's attention.

Onsite accommodation in modular buildings is considered the most appropriate means of providing accommodation for workers. This is not a housing development and it is therefore not appropriate to require the developer to make a contribution to affordable housing. The proposal is not contrary to the Council's Supplementary Guidance on HMOs as it is on site workers accommodation.

The proposal is considered to represent sustainable development in that it has the potential for significant employment generation, including local employment which would also have social and economic benefits in terms of helping to maintain



population in an identified fragile area. The proposal provides diversification from existing employment types and crofting in the area. Potential environmental impacts have been addressed in the ES and mitigation measures identified.

#### 8.24 **Other Considerations – not material**

The following addresses matters raised by third parties which are not material to the assessment of the planning application.

Any landscape/visual impacts resulting from temporary storage of assembled turbine structures in the Loch due to adverse weather conditions is outwith the assessment of this planning application as it is outwith the jurisdiction of the terrestrial planning system. The storage area is the subject of an application for a Marine Licence from Marine Scotland.

The establishment of a fund to benefit the local community is outwith the remit of the planning system, however, the developer is encouraged to discuss options for community benefit with the Ward Manager.

The applicant/agent has advised that medical services will be provided on site. The site will also be subject to HSE regulation. Medical and emergency services are public services and it is the responsibility of the relevant agencies to make appropriate provision for these services in response to development. It is not within the remit of the planning service to ensure that such services are adequately provided.

It is acknowledged that there are other proposals for support of off-shore renewables in the Highland area. However, each planning application submitted requires to be assessed on its own merits. Competition or over provision of a particular development type is not a material planning consideration. It is also the case that Kishorn is identified nationally as well as in the development plan as a strategic industrial site due to its special site characteristics.

#### 8.25 **Time Limit for Implementation of Consent**

In view of the nature, scale and complexity of the overall development, and the detail of information that requires to be submitted to fulfil conditions, the Planning Authority considers that the development should be afforded a greater time limit for commencement of development than the standard. Five years rather than three years is considered appropriate for implementation. Thereafter the portacabin type structures will be permitted for a temporary period of five years given the temporary nature of these structures. The quarry extension is also granted a limited time life in accordance with standard practice.

#### 8.26 **Matters to be secured by Section 75 Agreement**

None

## 9. CONCLUSION

- 9.1 The proposal involves a number of elements in order to facilitate use of the existing yard as a base for construction, manufacturing and servicing facilities for the off-shore renewables sector. Kishorn Yard is identified nationally and locally as a strategic industrial site. The site has the potential to be a significant economic and employment driver for the both the local and wider national economy.

It is acknowledged that the proposal will bring about physical and environmental changes to the site from the current situation. It is considered that potential impacts have been satisfactorily identified and appropriate mitigation measures identified in the ES.

All relevant matters have been taken into account when appraising this application. It is considered on balance that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

## 10. RECOMMENDATION

### Action required before decision issued N

**Subject to the above**, it is recommended the application be **granted** subject to the following conditions and reasons:

1. The development shall be undertaken in accordance with the planning application, environmental statement, identified mitigation and approved plans, except insofar as amended by the terms of this consent or as approved in writing by the Planning Authority in consultation with other relevant authorities.

**Reason:** To ensure the development is implemented in accordance with the provisions of the application and associated documents.

2. No development shall commence until a detailed phasing programme including a timetable for each working zone of the development and the anticipated end of design life of each working zone has been submitted to and approved in writing by the Planning Authority. This shall also include the additional accommodation units and associated development (planning reference 13/02273/PIP). Thereafter the development shall be carried out in accordance with the approved details unless the prior written approval of the Planning Authority is granted for any variation.

**Reason:** To ensure the development is implemented in accordance with the provisions of the application and associated documents and to facilitate monitoring of the development.

3. No development shall commence until a scheme to deal with potential contamination on site has been submitted to and agreed in writing by the Planning Authority. Prior to submission, the exact scope of the scheme shall be agreed in writing with the Planning Authority in consultation with TECS Contaminated Land. Thereafter no development shall commence until written confirmation has been

received that the scheme has been implemented, completed and, if required, monitoring measurements are in place, all to the satisfaction of the Planning Authority.

**Reason :** In order to ensure that the site is suitable for redevelopment, given the nature of previous uses/processes on the site.

4. No development shall commence until a detailed and site specific Construction Method Statement, Construction Environment Management Plan, Operational Environmental Management Plan and Environmental Work Management Plan for each working zone of the development as referred to in the phasing plan (including planning application 13/02273/PIP) have been submitted to and approved in writing by the Planning Authority in consultation with SEPA and SNH. Thereafter the development shall be completed in accordance with the approved details unless the prior written approval of the Planning Authority is granted for any variation.

**Reason:** In the interests of safeguarding the environment and pollution prevention.

5. No development shall commence within each working zone(as set out in the phasing plan) until full details of the SUDS proposed for each working zone (as set out in the phasing plan) has been submitted to and approved in writing by the Planning Authority in consultation with SEPA and TECS Roads. This submission shall take the form of a detailed plan and drainage impact assessment and should address the following:

- Identification, containment and suitable treatment of any particularly polluting working areas (fuel delivery areas and areas where vehicles, plant and equipment are refuelled; vehicle loading or unloading bays where potentially polluting matter is handled; oil and chemical storage handling and delivery areas).
- Three levels of SUDS treatment (or other agreed treatment) for all general hardstanding and working areas;
- Two levels of SUDS treatment for all new roads;
- Information on proposed drainage from any process areas. For example concrete wash water should be dealt with separately;
- Detailed proposals for water harvesting or reuse;
- Location point of all discharges. Discharges directly into the shellfish growing and harvesting areas shall be avoided as far as practicable.
- How all flows up to and including the 1 in 200 year event will be contained in the site boundary without causing flooding to property or critical roads. Flood flow routes shall be indicated on an appropriate drawing
- How the drainage will remain functional during extreme tidal levels
- Long term maintenance responsibilities of the SUDS drainage features
- Re-routing of overland flows which may be required for operational reasons along with details of the amended outfall location.
- Minimum buffer zone of 6m free from development from the top of the bank of any bodies of water and any proposed new development

In addition to the above the drainage assessment shall also accord with the Council's Supplementary Guidance: Flood Risk and Drainage Impact Assessment. Thereafter the development shall be completed in accordance with the approved details unless with the prior written approval of the Planning Authority.

**Reason :** Outline information has been provided with the application which demonstrates that suitable SUDS and other drainage could be fitted on the site; detailed information is required prior to commencement of development in the interests of safeguarding the environment and pollution control.

6. No development shall commence until exact arrangements for potable water and foul drainage (including a programme for implementation) for each working zone (as set out in the phasing plan) have been submitted, to, and approved in writing by, the Planning Authority. Thereafter the development shall be completed in accordance with the approved arrangements and timescales. For the avoidance of doubt all foul drainage must connect into the approved foul drainage system

**Reason:** In the interests of public health and to ensure there are not a proliferation of foul drainage discharges from the site to the detriment of the environment.

7. No development shall commence until a Watercourse Management Plan which provides information on the design and location of the finalised route of all watercourses within the site boundary and the location and design of any associated infrastructure, such as culverting has been submitted to and approved in writing by the Planning Authority in consultation with SEPA. The scheme shall include photos of the existing watercourses to act as a baseline, outline improvements to existing modifications and demonstrate how the final route of the watercourses has been located to afford as much protection from surrounding works as possible. Thereafter the development shall be completed in accordance with the approved details and timescales.

**Reason:** To ensure appropriate protection of the water environment.

8. For the avoidance of doubt, any new building/portacabin structure located within the site shall have a minimum finished floor level of 4.55m AOD.

**Reason:** To reduce the risk of coastal flooding.

9. At least two years prior to the end of the design life of each working zone of the development as set out in the phasing programme referred to by condition 2, a decommissioning and restoration plan for the site shall be submitted to and approved in writing by the Planning Authority in consultation with SEPA and SNH. The plan shall be based on best practice current at the time of submission and shall include timescales. Thereafter restoration shall be carried out in accordance with the approved details and timescales.

**Reason:** In the interests of amenity to ensure appropriate and timeous restoration of the site. Different parts of the site encompass different activities, with variable timescale of completion and restoration requirements.

10. At least one month prior to the commencement of development, the developer shall provide to the Planning Authority written details of the bond or other financial provision which they propose to put in place to cover all site restoration costs at the end of the period of this consent. The developer shall also provide an independent confirmation by a Chartered Surveyor (whose appointment for this task has been approved by the Planning Authority) that the amount of the bond or financial provision so proposed is sufficient to meet the full estimated costs of decommissioning, dismantling, removal, disposal, site restoration, remediation and incidental works as well as associated professional costs. No work shall commence on site until written confirmation has been given by the Planning Authority to the developer to the effect that the proposed bond or other financial arrangement is satisfactory and the developer has confirmed to the Planning Authority that it has been put in place.

**Reason:** To ensure financial security for the cost of site reinstatement to the satisfaction of the Planning Authority.

11. Prior to the erection of each building or siting of modular/portacabin units a fully detailed site layout, plans and elevations of each building including a detailed specification for all proposed external materials and finishes (including trade names and samples where necessary) shall be submitted to, and approved in writing by, the Planning Authority. The colour Van Dyke Brown with XL Forte finish (Kingspan Insulated Panels) is considered appropriate. Thereafter, development and work shall progress in accordance with these approved details.

**Reason:** In the interests of visual amenity and given the sites location within the National Scenic Area.

12. For the avoidance of doubt, any existing warehouse buildings to be retained at East Quay shall be painted or clad the same colour as new buildings as referred to by the condition above. This shall be completed at the same time as completion of the first new building approved as part of this permission.

**Reason:** In the interests of visual amenity and given the sites location within the National Scenic Area.

13. No new external lighting shall be installed on the site until full details of any external lighting to be used within the site and/or along its boundaries and/or access have been submitted to, and approved in writing by, the Planning Authority in consultation with SNH. Such details shall include full details of the location, type, angle of direction and wattage of each light which shall be so positioned and angled to prevent any direct illumination, glare or unnecessary light spillage. Details shall also include an assessment of the impact of lighting on nearby settlements/residential properties. Thereafter the development shall be completed and maintained in accordance with the approved details.

**Reason:** In order to ensure that any lighting installed within the application site does not spill beyond the intended target area, does not impact adversely upon the amenity of adjacent properties and does not result in 'sky glow'.

14. A pre-commencement survey for otters shall be undertaken prior to each phase of development and shall be submitted to and approved in writing by the Planning Authority in consultation with SNH. The survey shall include mitigation measures where any impact, or potential impact, on protected species or their habitat has been identified. The exact scope and phasing of survey work shall be agreed in writing with the Planning Authority in consultation with SNH prior to commencement of development within the site. Development and work shall progress in accordance with any mitigation measures contained within the approved report of survey and the timescales contain therein.

**Reason:** The otter surveys undertaken in 2011, 2012 and 2013 did not reconfirm the presence of otters except at one location adjacent to the Russell Burn. However, SNH consider that it remains likely that they will occur within the vicinity of the site from time to time. Otters are European Protected Species (EPS) and if the current situation has changed there may be a requirement for mitigation and or an EPS licence.

15. No development shall take place until a 30m buffer has been marked out and maintained from all watercourses at all times.

**Reason:** To avoid possible disturbance to otters using the Russell Burn. The otter surveys undertaken in 2011, 2012 and 2013 did not reconfirm the presence of otters except at one location adjacent to the Russel Burn. However, SNH consider that it remains likely that they will occur within the vicinity of the site from time to time. The 20m buffer recommended in the Environmental Statement (ES) does not accord with best practice.

16. Notwithstanding the details provided in the ES concerning restoration, a species mix of grass and heather brash appropriate to the site shall be used. No development shall commence until details of this have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

**Reason :** In the interests of visual amenity and biodiversity to ensure the species mix is appropriate for the site.

17. No new fencing shall be erected within the site until details of fencing has been submitted to and approved in writing by the Planning Authority. Wooden post and protected weld mesh or similar fencing materials shall be used. Thereafter the development shall be completed in accordance with the approved details.

**Reason:** In the interests of visual amenity given the location of the site within the National Scenic Area.

18. No new signage shall be erected within the site until full details have been submitted to and approved in writing by the Planning Authority. Thereafter the development shall be completed in accordance with the approved details.

**Reason:** In the interests of visual amenity given the location of the site within the National Scenic Area.

19. For the avoidance of doubt, as stated in the ES, any tall structures in excess of 300 feet (91.44m) above ground shall have aircraft warning lights fitted to the satisfaction of the Planning Authority in consultation with the Civil Aviation Authority. The developer shall also notify the Defence Geographic Area so that they may publicise the location to the aviation communities.

**Reason:** For air traffic safety reasons given the proximity of Plockton Airfield

20. No development shall commence on site until the membership of a Local Liaison Group including representatives of Kishorn Port Ltd, Contractors, Community Councils, TEC Services, SNH, SEPA, Environmental Health and the Planning Authority has been agreed in writing by the Planning Authority. For the avoidance of doubt the remit of the Local Liaison Group shall be to promote effective communication, to discuss and resolve local issues and it shall be convened and chaired by the Council's Ward Manager for Ward 6 or an appointed representative. For the avoidance of doubt, the Liaison Group shall meet for the first time prior to the commencement of any development on the site (including construction) and shall thereafter meet every 3 months, or such other time period as may be agreed by the members of the group, for the duration of the construction period and during operation of the development hereby approved.

**Reason:** To effectively control the impacts of this development in the interests of amenity and traffic safety.

21. Prior to the commencement of any works on site hereby approved an updated Traffic Assessment and Traffic Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. The Traffic Assessment and Traffic Management Plan shall be implemented in accordance with the approved details and timescales for the duration of construction.

**Reason:** In the interests of road safety. The ES contains details but it is recognised that these details could change.

22. Prior to commencement of operation of the development hereby approved an updated operational Traffic Assessment and Traffic Management Plan shall be submitted to and approved in writing by the Planning Authority in consultation with the Roads Authority. Thereafter the operation shall proceed in accordance with the approved details in perpetuity.

**Reason:** In the interests of road safety. The ES contains details but it is recognised that these details could change.

23. Noise arising from the development hereby approved shall at no time exceed the following limits as measured in the free field at any noise sensitive properties : -

Monday to Saturday 0700-1900	45dB LAeq 1hr
All other times	42dB LAeq 1hr

For the avoidance of doubt these limits would apply to the cumulative noise from all activities covered by any approval and the existing and extended quarrying operation. These limits would not apply to works which are inaudible at any noise sensitive property.

For the avoidance of doubt there shall be no quarry operations on a Sunday except that required for essential maintenance where cumulative noise shall not exceed 42 dB L Aeq,1 hr at any noise sensitive property as specified above.

**Reason:** In the interests of residential amenity to avoid unacceptable noise impacts.

24. For the avoidance of doubt, the accommodation units hereby approved shall be occupied solely by persons employed on site at Kishorn Yard.

**Reason:** In the interests of amenity and to accord with the terms of the planning permission.

25. Planning permission is hereby granted for the quarry operations for a temporary 10 year period only from the date of commencement and shall cease to have effect on 31<sup>st</sup> October 2023 (the 'cessation date'). Prior to the cessation date, the application site shall be cleared of all development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)) and reinstated in accordance with the approved restoration scheme.

**Reason:** It is standard practice to limit the time life of quarry operations

26. The developer shall keep a record of the tonnage of rock exported by sea and road and this shall be available for inspection by the Planning or Roads Authority on request. For the avoidance of doubt, the volume of rock transported on local road systems shall not exceed 5000 tonnes per annum unless there is a written agreement with the Planning and Roads Authority, an audit of the affected road system is undertaken and any subsequent negative impact shall be remedied by the operators to the satisfaction of the Roads Authority at their sole expense.

**Reason:** To effectively control the impacts of this development in the interests of amenity.

27. Prior to the commencement of extension of the existing quarry area, an updated site restoration and landscaping plan for the quarry area including methodology, specification and a timescale for the progressive reinstatement shall be submitted for the approval of the Planning Authority in consultation with SNH and SEPA.



Thereafter the quarry shall be fully restored in accordance with the approved restoration and landscaping plan in accordance with the agreed timescale and completed before the consent expires on 31<sup>st</sup> October 2023.

**Reason:** To secure the reinstatement of the site to the satisfaction of the Planning Authority.

28. At least one month prior to the commencement of development of the extension of the existing quarry area, the developer shall submit written details of the bond or other financial provision which it proposes to put in place to cover site restoration and landscaping costs for the quarry area prior to the end of the ten year period. The developer shall also provide an independent confirmation by a Chartered Surveyor (whose appointment for this task has been approved by the Planning Authority) that the amount of the bond or the financial provision so proposed is sufficient to meet the full estimated costs of decommissioning, dismantling, removal, disposal, site restoration, remediation and incidental work as well as associated professional costs. No work shall commence on the extended area until written confirmation has been given by the Planning Authority to the developer to the effect that the proposed bond or other financial arrangement is satisfactory and the developer has confirmed to the Planning Authority that it has been put in place.

**Reason:** To ensure financial security for the cost of site reinstatement to the satisfaction of the planning authority.

29. Prior to the commencement of any blasting operations within the extension to the existing quarry an updated and detailed method statement for blasting operations and activity shall be submitted for written approval of the Planning Authority in consultation with TECS Environmental Health. All subsequent blasting shall take place in accordance with this scheme as subsequently approved. A program of blast monitoring shall be implemented in accordance with the approved details.

**Reason:** In the interests of amenity.

30. In connection with blasting activity referred to above, the following shall be complied with:

- to protect the marine aquatic environment ground vibrations shall not exceed a peak velocity of 13mms-1 in 50% of all blasts measured over any period of 6 months - as measured on the shoreline.
- to protect inhabited property, ground vibration shall not exceed a peak particle velocity of 6mms-1 in 95% of all blasts measured over a period of 6 months and no individual blast shall exceed a peak velocity of 12mms-1 as measured at vibration sensitive buildings.

Unless otherwise agreed in writing with the Planning Authority in consultation with TECs Environmental Health.

**Reason:** In the interests of amenity and safety.

31. Planning permission for all “temporary structures” such as portacabins and modular buildings is hereby granted for a temporary period of FIVE YEARS only from the date of commencement of development. Prior to the expiry of the five years, the application site shall be cleared of all development approved under the terms of this permission (including any subsequent ancillary works, infrastructure, fixtures, fittings and any temporary developments permitted under Class 14 of the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (as amended)) and reinstated in accordance with the approved restoration scheme.

**Reason:** In the interests of amenity as these are temporary structures.

#### REASON FOR DECISION

On balance the proposals accord with the provisions of the Development Plan and there are no material considerations which would warrant refusal of the application. The proposal is for redevelopment and expansion of operations at an existing industrial yard. Potential impacts have been identified and addressed and mitigation measures identified.

#### **DIRECTION UNDER SECTION 58(2) REGARDING THE IMPLEMENTATION OF THIS PLANNING PERMISSION**

The Highland Council hereby makes the following Direction under Section 58(2) of the Town and Country Planning (Scotland) Act 1997 (as amended). The development to which this planning permission relates must commence within FIVE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

#### FOOTNOTE TO APPLICANT

##### Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

### **Accordance with Approved Plans & Conditions**

You are advised that development must progress in accordance with the plans approved under, and any conditions attached to, this permission. You must not deviate from this permission without consent from the Planning Authority (irrespective of any changes that may separately be requested at the Building Warrant stage or by any other Statutory Authority). Any pre-conditions (those requiring certain works, submissions etc. prior to commencement of development) must be fulfilled prior to work starting on site. Failure to adhere to this permission and meet the requirements of all conditions may invalidate your permission or result in formal enforcement action

### **Flood Risk**

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the application site. As per Scottish Planning Policy (p.198), planning permission does not remove the liability position of developers or owners in relation to flood risk.

### **Mud & Debris on Road**

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

### **Damage to the Public Road**

The Council, under Section 96 of the Roads (Scotland) Act 1984, reserves the right to recover all costs for repairing any damage to the public road (and/or pavement) which can be attributed to construction works for this development. The section of road referred to is from the junction of the site access with the public road to the junction of Applecross/Tornapress.

### **Noise**

You are advised to apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act for formal consent to work at specific times and days of the week. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact [env.health@highland.gov.uk](mailto:env.health@highland.gov.uk) for more information.

### **Private Water Supply**

For the avoidance of doubt, use of a private water source will require to comply with the Private Water Supply (Scotland) Regulations 2006.

### **Fish Farm Interests**

In view of concerns raised regarding bio-security of neighbouring fish farms, the developer is strongly advised to engage in discussions with the fish farm operators at the earliest opportunity.

### **Major Development and Schedule 3 Development Site Notice**

Prior to the commencement of this development, the attached Site Notice must be posted in a publicly accessible part of the site and remain in place until the development is complete. This is a statutory requirement of the Town and Country Planning (Scotland) Acts and associated regulations.

### **SSE**

A map is attached showing the approximate location of the line. All works in proximity to overhead lines must be carried out in accordance with The Health and Safety Guidance note GS 6. The legislation dictates that where works are to be undertaken within 9 metres horizontal distance from an overhead line, positive steps must be taken to manage the risk identified on site. These steps can include, making the line dead, erecting barriers at ground level, erecting high level bunting and goal posts (6 metres from the line), using appropriate excavator, restricting jib movement, etc.

### **SEPA**

Generally the finalised CEMP should be based on the framework CEMP submitted and address the pollution prevention and management issued outlined on SEPA's website at [www.sepa.org.uk/planning/construction\\_and\\_pollution.aspx](http://www.sepa.org.uk/planning/construction_and_pollution.aspx). SEPA have provided further advice to the applicant on this in Section 13 below. They should be on site during all construction works and should have suitable authority to be able to stop works, if required.

This shall also refer to The Highland Council's Guidance Note on Construction Environmental Management Process for Large Scale Projects.

The EMP's should be site-specific and detailed in nature and should incorporate development-specific pollution prevention and mitigation measures for all construction or operation elements potentially capable of giving rise to pollution. Full details of what should be included in the Construction EMP can be found on SEPA's website at [www.sepa.org.uk/planning/construction\\_and\\_pollution.aspx](http://www.sepa.org.uk/planning/construction_and_pollution.aspx).

Modelling information for the foul drainage system is not included in the ES and as a result SEPA cannot give advice on where a suitable location for the discharge is likely to be. This means there could be a requirement for a very long pipe or for the discharge point to be located in an area which is challenging for engineering. It is at the developers own risk if subsequent information demonstrates that a requirement for an expensive or difficult to engineer solution is required.

Other consents including Marine Licence, CAR and PPC permit will be required. The developer is advised to contact the issuing bodies direct. Planning permission does not guarantee that approval will be given.

Signature: Dafydd Jones  
Designation: Area Planning Manager - North  
Author: Emma Forbes  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Refer to Appendix

Appendix – Letters of Representation

	<b>Name</b>	<b>Address</b>	<b>Date Received</b>	<b>For/Against</b>
1	Mr Graham Wilson  Gill Wilson	Craigellachie, Achintraid, Strathcarron, Ross-shire  Craigellachie, Achintraid, Kishorn, Strathcarron, IV54 8XB	02.08.2013  07.08.2013	Against  Against
2	Sheildaig Community Council	Richard Munday, Kinloch, Shieldaig, Ross-shire, IV54 8XJ	03.08.2013	For
3	Mr Stanley Jackson	Tigh na Mara, Lochcarron, IV54 8YB,	03.08.2013	Against
4	Dr Helen Stewart	16 Achintraid, Kishorn, Strathcarron, IV54 8XB	03.08.2013	For
5	Miss Alice Maclennan	Isle View, Shieldaig, Strathcarron, IV54 8N	04.08.2013	For
6	Mr Alan Gray		05.08.2013	Against
7	Mrs Lynn Frost	Cnoc An Eoin, Shieldaig, Strathcarron, IV54 8XN	05.08.2013	For
8	Mr Donnie Morrison	Narrachan, Kishorn, Strathcarron, Rossshire, IV54 8XA	05.08.2013	For
9	Mr R Matheson	Seafield Lodge, Kishorn, Strathcarron, IV54 8XA	06.08.2013	Against
10	Ms S Dean  Mr V McNeil	Little Courthill, Kishorn, Strathcarron , IV54 8XD  Little Courthill, Kishorn, Strathcarron IV54 8XD	06.08.2013  04.08.2013	Against  Against
11	Mr Robert Crosthwaite	'Onnela', Kishorn, Strathcarron, IV54 8XA	06.08.2013	Against

12	Mr D Graham West	Shepherd's Cottage, By Nostie, Kyle Of Lochalsh, Ross-shire, , IV40 8EQ	06.08.2013	Against (qualified)
13	Mr Stuart Mackenzie	Bellevue, Main Street, Lochcarron, IV54 8YB	06.08.2013	For
14	Mrs Kate MacGregor	23 Achintraid, Kishorn, IV54 8XB	07.08.2013	Against
15	Mrs Carol Cocks	Ardoch, Kishorn, Strathcarron, IV54 8XA	07.08.2013	Against
16	Victoria Glenn - Davies	Garden House, Oxenfoord, Pathhead, EH37 5UB	07.08.2013	Against
17	James Mould Business Services	Tigh Charrann, Croft Road , Lochcarron , Strathcarron , IV54 8YA	07.08.2013	Against
18	Alastair Baxter	Ardoch House, Kishorn, Strathcarron, IV54 8XA	07.08.2013	Against
19	Mr and Mrs Tony and Carolyn Caminiti	10 Kirkton Road, Lochcarron, IV54 8UF,	07.08.2013	Against
20	Kishorn Seafood Bar	Strathcarron, IV54 8XA	07.08.2013	For
21	Mrs Hilary Rooke	Craig House, Strathcarron, IV54 8YU	07.08.2013	For
22	Joan And Billy Forbes	Camus Drol, Dalacladdich Road, Lochcarron, Strathcarron, IV54 8YQ	07.08.2013	For
23	Lochcarron And District Business Association, Alastair Baxter	Ardoch , Kishorn , Strathcarron, IV54 8XB	07.08.2013	For (qualified)
24	A J E Lyon	Carn Na Feidh, Kishorn, Strathcarron, Ross-shire, IV54 8XD	08.08.2013	Against
25	Mr Matthew Webster	Torridon Youth Hostel, Torridon, Achnasheen, IV22 2EZ	08.08.2013	Against

26	Mr And Mrs B.L And B Key	Tigh Solvis, Lochcarron, IV54 8YQ,	08.08.2013	Against
27	Mrs Fiona Fontes	Whirley Whin, Whirley Lane, Macclesfield, SK10 4RN	08.08.2013	Against
28	Mr John Pattinson	Malt Kiln, Shrewsbury, SY45SU	08.08.2013	Against
29	Mr Mark Pattinson Mrs Gillian Pattinson	Brynaport, Achintraid, Kishorn, IV54 8XB Brynaport, Achintraid, Kishorn, IV548XB	07.08.2013 08.08.2013	Against Neutral
30	Mr Donald Stewart	13 Kirkton Gardens, Lochcarron, IV54 8UQ	08.08.2013	For
31	Joy Moran, Manager	The Lochcarron Weavers Shop, Mid Strome, Lochcarron, Ross-Shire	08.08.2013	For
32	Mr And Mrs N And E Cameron	Tuesday Cottage, Shildaig, Strathcarron, IV54 8XN	08.08.2013	For
33	Mr Fraser Mackenzie	Balnacra, Strathcarron, Ross Shire, IV548YU	08.08.2013	For
34	Miles And Diana Thompson	Ash House, Achintraid	09.08.2013	Against
35	Miss Eilidh Finlayson	An Dail, Kishorn, Strathcarron, IV54 8XA	09.08.2013	Against
36	Mr and Mrs Graham and Nicola Macaulay-Smith	Allt Beag, Achintraid, Kishorn, IV54 8XB	09.08.2013	Against
37	Alison Raeside	Couldoran, Kishorn, Strathcarron, IV54 8UY	09.08.2013	Against
38		Rhumasord, Achintraid, Kishorn, Strathcarron, IV54 8XB	09.08.2013	Against
39	Miss Julie Wilkinson	The Sidings, Strathcarron, IV54 8YR	09.08.2013	For
40	Ewen Macpherson	Attadale, Strathcarron	09.08.2013	Neutral

41	Ms Kristine MacKenzie	Blackwood Croft West, Stathcarron, IV54 8YN	09.08.2013	For
42	Mr Tony Wilkinson	Spar, Lochcarron, IV54 8YD	09.08.2013	For
43	Ms Victoria Stonebridge	3 Kirkton Road, Lochcarron, Strathcarron, IV548UF	09.08.2013	For
44	Mr Martin Moran	Park Cottage, Achintee, Strathcarron, IV54 8YX	09.08.2013	For
45	Mrs P A Goodman	Coulags Croft, Coulags, Strathcarron, IV54 8YU	09.08.2013	For
46	D M K Motors Ltd	Industrial Estate, Lochcarron, IV54 8YS	09.08.2013	For
47	Peter Mackenzie	West Coast Storage, Industrial Estate, Lochcarron, IV54 8YS	09.08.2013	For
48	Maureen Lyon,	Carn Na Feidh, Kishorn, Strathcarron, IV54 8XD	12.08.2013	Against
49	Mr Archie MacLellan The Applecross Trust	The Applecross Trust, Drummondhill, Inverness, IV2 4JZ	28.08.2013	For
50	Mr Ian Donaldson Mrs Suzanne Donaldson	5 Kirkton Road, Lochcarron, IV54 8UF Crannog, 5 Kirkton road, Lochcarron, IV54 8UF	01.09.2013 01.09.2013	Against Against
51	Ms and Mr Aileen and Peter Grant and Barr	Hawthorndene, Main Street, Lochcarron, IV54 8YB	06.09.2013	Against
52	Ms Marion MacKenzie	The Corran, No.2 , Achintraid, Kishorn, Wester Ross	02.08.2013	For
53	Dr Don Macdonald	Creag Ghlas, West Lochcarron, Lochcarron, IV54 8YQ	29.07.2013	Neutral
54	Mr Nigel Macleod	Shore House, Ardarroch, Kishorn, IV54 8XA	02.08.2013	Neutral
55	Dr David Murray	The Ferguson Medical Centre, Church Street Lochcarron, Strathcarron, IV54 8YP	06.08.2013	Neutral



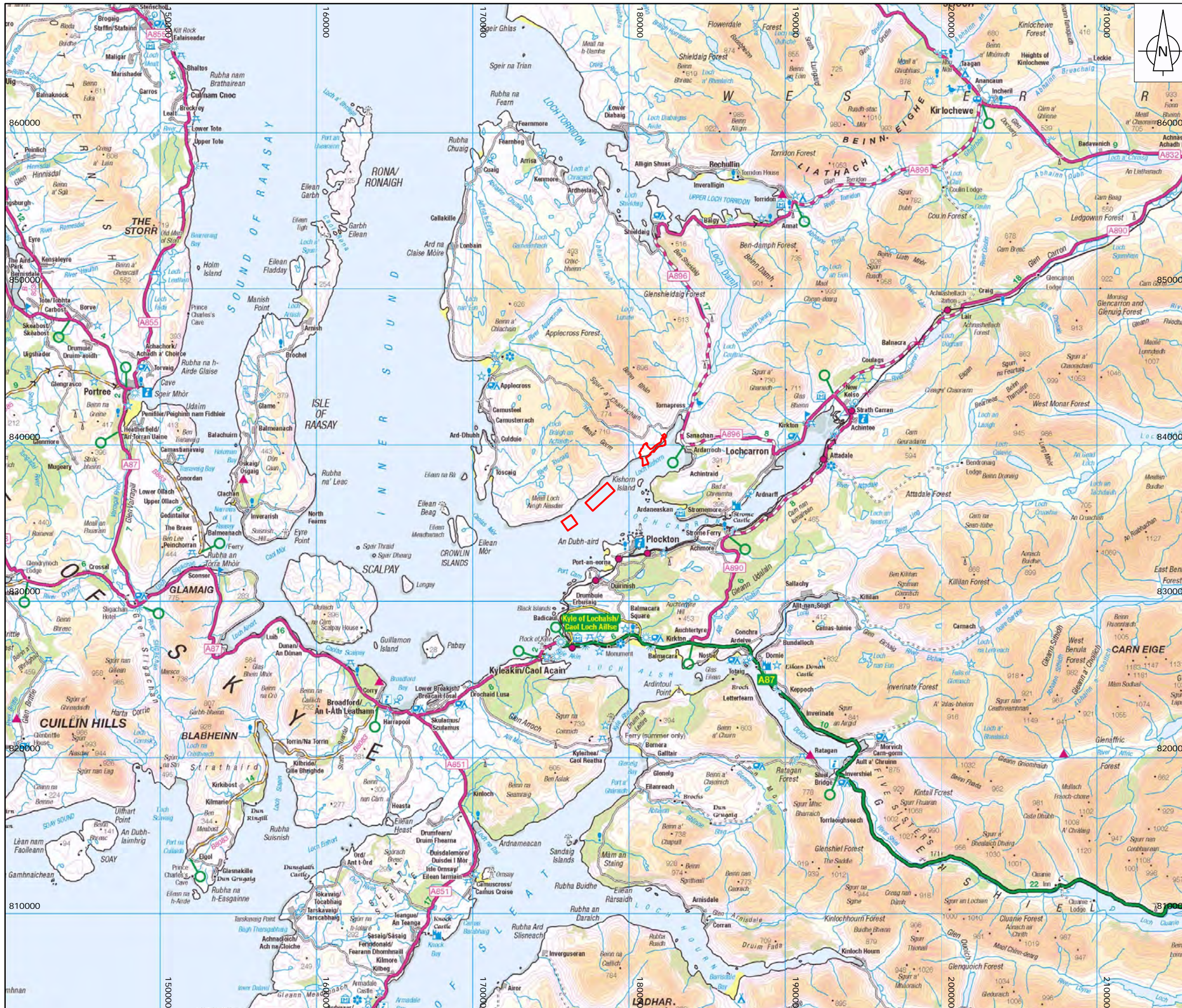
56	Mr Hans Zell	Glais Bheinn, Main Street, Lochcarron, IV54 8YB	06.08.2013	Support (qualified)
58	Mr Peter Bartlett	The Rockvilla Guest House, Main Street, Lochcarron, IV54 8YB	07.08.2013	Neutral
58	Mr & Mrs Rob & Jan Teago	Carron Pottery & Crafts, Cam- allt, Strathcarron, IV54 8YX	07.08.2013	Neutral
59	H.M.H. Given	18 Kirkton Rd, Lochcarron, IV54 8UF	07.08.2013	Neutral
60	Mr. David Morton	Ardochbeag, Kishorn, IV54 8XA	08.08.2013	Against
61	Mr Michael Turner	Kishorn Shop, Kishorn, Strathcarron, IV54 8XA	08.08.2013	Neutral
62	Mr Ian Smith	Pier House, Ardarroch, Kishorn, IV54 8XA	08.08.2013	Neutral
63	Lochcarron Development Officer Kristine MacKenzie	The Station, Strathcarron, IV54 8YR	09.08.2013	Neutral
64	Mrs Rosemary Arthur	An Sgurr, Achintraid, Kishorn, Strathcarron, IV54 8XB	09.08.2013	Neutral
65	Torrison and Kinlochewe Community Council	(Andrew James) Kinlochmaree House, Kinlochewe, IV22 2PA	04.10.2013	For
66	Dr Iain D Strath		04.8.2013	Against
67	Lochcarron Community Council	(Mrs Emma McCallum) Driftwood, Rhunasoul Kishorn Strathcarron	14.08.2013	For

## Appendix – Planning History

Planning Ref.	Applicant	Location	Description	Date of Decision
RC/75/375	Howard Doris Ltd	Extension to Oil Platform Construction Site	Kishorn Construction Site	Consent granted 19.2.76
75/397	Howard Doris Ltd	Erection of Notice Board	Loch Kishorn	Advertisement consent refused 5.11.75
RC/76/88	North of Scotland Hydro Electric Board	Camp Site, Kishorn	Electric Line Deviation	Consent granted 10.02.76
RC/76/376	Howard Doris Ltd	Construction of quay, 3 workshops & fixed overhead travelling crane	West end of Loch Kishorn Construction site	Consent granted 05.11.76
RC/81/470	Howard Doris Ltd	Additional accommodation unit	Workers village, Kishorn Construction Site	Temp consent granted 22.6.81
81/471	Howard Doris Ltd	Extension of steel manufacturing site facilities	Area 7 Kishorn Yard	Outline consent granted 6.8.81
RC/85/369	Howard Doris Ltd	Residential complex & workers yard	Kishorn Yard	Temp consent granted 13.7.85
RC/92/35	Miller Construction Ltd	Proposed use of year for precast reinforced concrete construction	Site A, Kishorn Yard	Temp consent granted 30.05.92
RC/92/36	Miller Construction Ltd	Proposed use of yard for precast reinforced concrete construction	Site B, Kishorn Yard	Withdrawn 29.06.93
RC/95/83	R J McLeod (Contractors) Ltd	Realignment of existing access road & provision of access ramp to dry dock area	Loch Kishorn Industrial site, Kishorn	Temp consent granted 02.03.95
RC/95/164	R J McLeod (Contractors) Ltd	Rock crushing operations	Kishorn Industrial Estate, Kishorn	Temp consent granted 23.09.95
RC/96/104	R J McLeod (Contractors) Ltd	Formation of access to dry dock area & temporary stock pile of materials	Loch Kishorn Industrial site, Kishorn	Temp consent granted 07.07.96


RC/99/202	Kishorn Base Ltd	Use of former oil construction yard as supply/service base & decommissioning/manufacturing /repair facility	Kishorn Base, Kishorn	Outline consent granted 18.08.99
RC/99/321	R J McLeod (Contractors) Ltd	Formation of access to dry dock area & temporary stock pile of materials (Renewal)	Loch Kishorn Industrial site, Kishorn	Consent granted 30.9.99
RC/02/358	R J McLeod (Contractors) Ltd	Continuation of rock quarry operations (Renewal)	Loch Kishorn Industrial site, Kishorn	Consent granted 15.04.04
RC/03/56	Corrie Mhor Salmon Ltd	Erection of fish dispatch building	Kishorn dock	Consent Granted 27.03.03
05/104	Ferguson Transport (Spean Bridge) Ltd	Erection of Storage Building	Area 7 Kishorn Yard	Consent granted 21.04.05
05/1002	Leiths (Scotland) Ltd	Formation of Quarry to Extract And Process Hard Rock Aggregates	Land to West of Former Kishorn Yard	Consent Granted 31.05.06
06/208/FULRC	Ferguson Transport (Spean Bridge) Ltd	Erection of plant & equipment storage	Area 7 Kishorn	Granted 09.06.06
07/1240/FULRC	Leiths (Scotland) Ltd	Temp. change of use (10 mths) To allow erection of batching Plant/storage segments	Land to west of Former Kishorn Yard	Granted 28.02.08
08/160/FULRC	Advantica Ltd Ashby Road Loughborough	Temp. planning permission for Fabrication of pipe and assoc. facilities	Land to south West of Dry Dock Kishorn	Granted 13.06.08
08/211/FULRC	Sonas Camusteel Applecross	Erection of boat building/general Fabrication building	Russel Yard Kishorn	Granted 27.06.08
09/61/FULRC	Leiths (Scotland) Ltd	Temp change of use to allow Mobile concrete batching plant And storage	Land to west of former Kishorn Yard	Granted 03.04.09
09/461/FULRC	Leiths (Scotland) Ltd	Temp change of use to allow Mobile concrete batching plant	Land to west of former Kishorn Yard	Granted 22.09.09

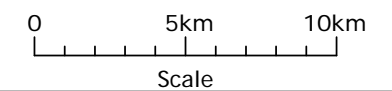
		And storage		
10/1064/FUL	Leiths (Scotland) Ltd	Temp change of use to allow Mobile concrete batching plant And storage (Renewal 1 year)	Land to west of former Kishorn Yard	Granted 30.04.10
11/01008/FUL	Leiths (Scotland) Ltd	Temp change of use for mobile concrete batching plant (renewal for one year)	Land to west of former Kishorn Yard	Granted 21.04.11
12/01397/S42	Leiths (Scotland) Ltd	Section 42 app. To vary conditions (12/00520/FUL)	Land to west of former Kishorn Yard	Granted 08.06.12
12/03105/FUL	Trident Energy Ltd	Temp. erection of steel frame and gantry and siting of container	Kishorn Jetty	Granted 26.09.12
12/03427/FUL	GL Noble Denton	Temp. use of site for fabrication of pipe and assoc. facilities	Land to South West of Dry Dock Kishorn	Granted 14.11.12
12/04454/FUL	The Scottish Salmon Company	Erection of building to cover freshwater tank systems	Russel Burn Hatchery Applecross	Granted 09.07.13
13/00243/SCOP	Kishorn Port Ltd	Regeneration of former oil platform construction yard	Land at Kishorn Base	
13/02272/FUL	Kishorn Port Ltd	Extension of existing construction/fabrication yard, extension of existing quarry	Land at Kishorn Base	Pending Consideration
13/02273/PIP	Kishorn Port Ltd	Erection of workforce accommodation/parking area	Land at Kishorn Base	Pending Consideration



**GENERAL LOCATION PLAN**

Legend

 Development Footprint



Client: KISHORN PORT LTD

Project: KISHORN YARD DEVELOPMENT

Title: GENERAL LOCATION PLAN

Figure: 1.1

Drawn: JHRW

Scale: 1:250,000

Checked: KVD

Date: 29.05.13

Sheet Size:A3

Dalglish Associates Ltd

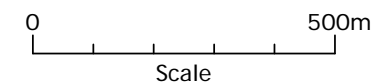
ENVIRONMENTAL, MINERAL AND  
PLANNING CONSULTANTS  
CATHEDRAL SQUARE  
DUNBLANE FK15 0AH  
Tel: 01786 822339  
Fax: 01786 822899



### SITE LOCATION PLAN

Legend

-  Planning Application Boundary
-  Marine Licence Area
- A** Kishorn Yard Industrial Site
- B** Accommodation Area
- C** Pontoons



Client: KISHORN PORT LTD.

Project: KISHORN YARD DEVELOPMENT

Title: SITE LOCATION PLAN

Figure: 1.2      Drawn: EM  
 Scale: 1:12,500      Checked: KVD  
 Date: 28.05.13      Sheet Size: A3

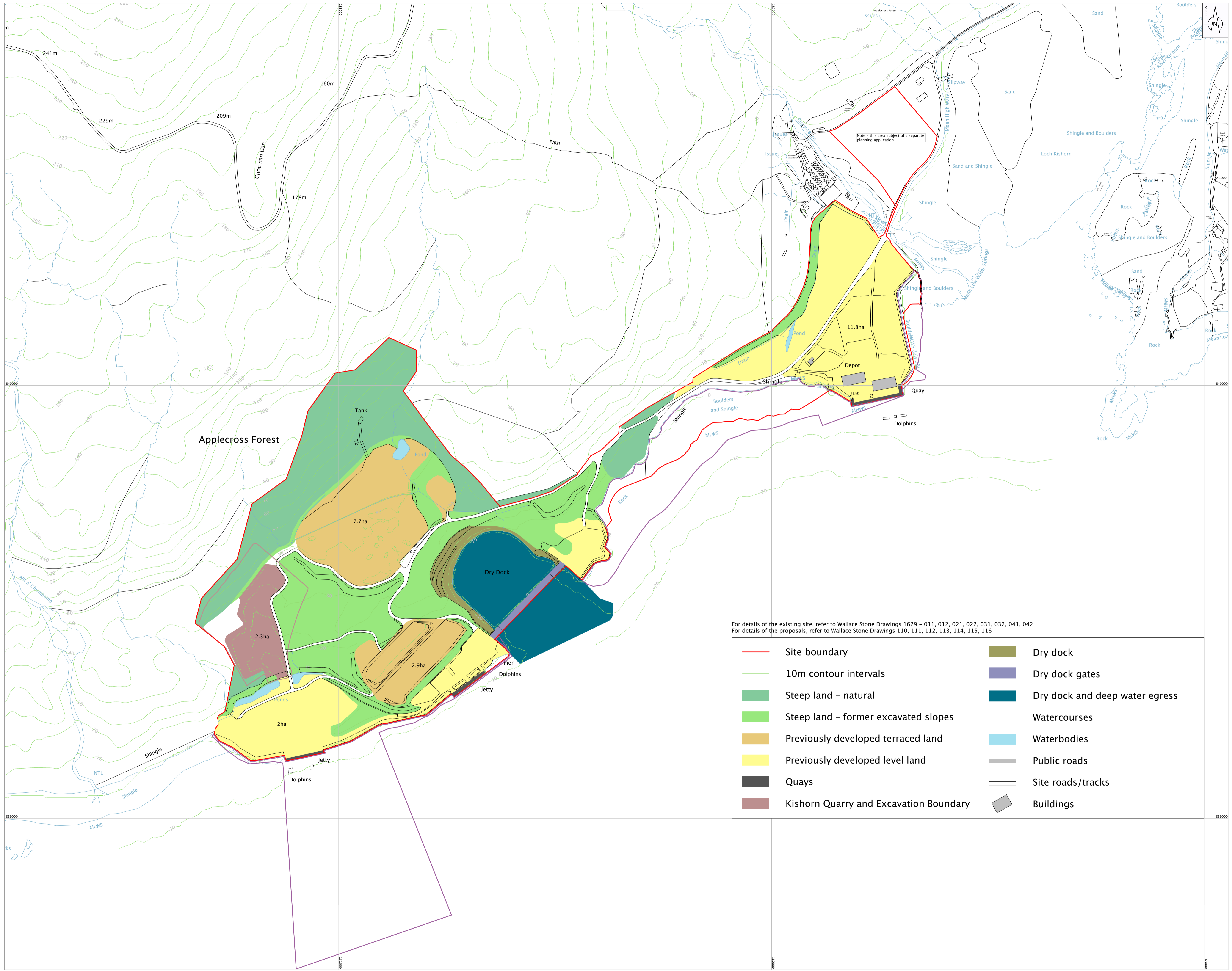
Dalglish Associates Ltd

ENVIRONMENTAL, MINERAL AND  
 PLANNING CONSULTANTS  
 CATHEDRAL SQUARE  
 DUNBLANE FK15 0AH  
 Tel: 01786 822339  
 Fax: 01786 822899



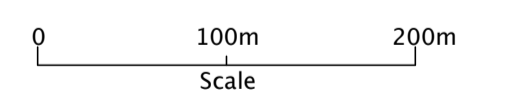
EXISTING LAYOUT PLAN

- Legend
- Planning Application Area
  - Marine Licence Area



For details of the existing site, refer to Wallace Stone Drawings 1629 – 011, 012, 021, 022, 031, 032, 041, 042  
 For details of the proposals, refer to Wallace Stone Drawings 110, 111, 112, 113, 114, 115, 116

- |  |  |
|--|--|
| <span style="border-bottom: 1px solid red; width: 20px; display: inline-block; margin-right: 5px;"></span> Site boundary                                     | <span style="display: inline-block; width: 15px; height: 10px; background-color: #808000; margin-right: 5px;"></span> Dry dock                       |
| <span style="border-bottom: 1px dashed green; width: 20px; display: inline-block; margin-right: 5px;"></span> 10m contour intervals                          | <span style="display: inline-block; width: 15px; height: 10px; background-color: #483D8B; margin-right: 5px;"></span> Dry dock gates                 |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #3CB371; margin-right: 5px;"></span> Steep land - natural                   | <span style="display: inline-block; width: 15px; height: 10px; background-color: #008080; margin-right: 5px;"></span> Dry dock and deep water egress |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #32CD32; margin-right: 5px;"></span> Steep land - former excavated slopes   | <span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6; margin-right: 5px;"></span> Watercourses                   |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #D2691E; margin-right: 5px;"></span> Previously developed terraced land     | <span style="display: inline-block; width: 15px; height: 10px; background-color: #ADD8E6; margin-right: 5px;"></span> Waterbodies                    |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #FFFF00; margin-right: 5px;"></span> Previously developed level land        | <span style="display: inline-block; width: 15px; height: 10px; border-bottom: 1px solid gray; margin-right: 5px;"></span> Public roads               |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #333; margin-right: 5px;"></span> Quays                                     | <span style="display: inline-block; width: 15px; height: 10px; border-bottom: 1px dashed gray; margin-right: 5px;"></span> Site roads/tracks         |
| <span style="display: inline-block; width: 15px; height: 10px; background-color: #A52A2A; margin-right: 5px;"></span> Kishorn Quarry and Excavation Boundary | <span style="display: inline-block; width: 15px; height: 10px; background-color: #808080; margin-right: 5px;"></span> Buildings                      |



Client: KISHORN PORT LTD.  
 Project: KISHORN YARD DEVELOPMENT  
 Title: EXISTING LAYOUT PLAN

---

Figure: 3.1 Drawn: EM  
 Scale: 1:4,000 (A1) Checked: KVD  
 Date: 28.05.13 Sheet Size: A1