

Agenda Item	5.1
Report No	PLS/052/18

## HIGHLAND COUNCIL

**Committee:** South Planning Applications Committee

**Date:** 8 August 2018

**Report Title:** 18/02489/PAN: Ardersier Port Ltd  
Former Fabrication Yard, Ardersier, Nairn

**Report By:** Area Planning Manager – South/Major Developments

### Purpose/Executive Summary

**Description:** Renewal of planning permission in principle application ref: 13/01689/PIP to establish a port and port related services for energy related uses, including marine channel dredging, quay realignment, repair and maintenance, erection of offices, industrial and storage buildings. delivery and export of port related cargo and associated new road access, parking, infrastructure, services, temporary stockpiling of dredged material, regrading and upfilling of landward areas and landscaping.

**Ward:** 17 - Culloden and Ardersier

### Recommendation

Members are asked to note the submission of the PAN and highlight any material issues they wish to be brought to the attention of the applicant before the submission of the application for planning permission.

## **1. BACKGROUND**

- 1.1 To inform the Planning Applications Committee of the submission of the attached Proposal of Application Notice (PAN).
- 1.2 The submission of the PAN accords with the provisions of the Planning etc. (Scotland) Act 2006 and was lodged on the 01 June 2018. Members are asked to note this may form the basis of a subsequent planning application.
- 1.3 The submitted information attached includes:
  - Proposal of application Notice
  - Site & Location Plan
  - Covering e-mail

## **2. DESCRIPTION OF PROPOSED DEVELOPMENT**

- 2.1 The proposal is for the renewal of planning permission in principle to establish an off-shore renewables port facility at Ardersier.
- 2.2 Since submission of the Proposal of Application Notice, the applicant has held a public consultation event. The event was held on 21 June 2018 at the Ardersier War Memorial Hall.

## **3. SITE DESCRIPTION**

- 3.1 The site is the former McDermott Fabrication Yard located approximately 7.5km to the west of Nairn, 18km northeast of Inverness and 3km northeast of Ardersier. Access to the site is gained via a dedicated 2.5km long access road, which links to the B9092 to the south. The B9092 subsequently links with the A96, which is the main transport link between Inverness and Aberdeen.
- 3.2 The site is bounded by the Moray Firth to the north, an area of sand dunes and tidal mudflats to the west, Carse Wood to the south, and an undeveloped area of sand and mudflats, known as Carse of Delnies, to the east. To the southwest of the site is the Fort George live firing range owned by the Ministry of Defence.
- 3.3 Whiteness Head is designated a Site of Special Scientific Interest (SSSI) and forms part of the Inner Moray Firth Special Protection Area (SPA). It is also a Ramsar site. The Moray Firth is designated as a Special Area of Conservation (SAC). The site also lies within the Sutors of Cromarty, Rosemarkie and Fort George Special Landscape Area (SLA).

## **4. DEVELOPMENT PLAN POLICY**

The following policies are relevant to the assessment of the application

### **4.1 Highland Wide Local Development Plan 2012**

- 14 - Whiteness
- 28 - Sustainable Design
- 29 - Design Quality & Place-making

- 30 - Physical Constraints
- 31 - Developer Contributions
- 42 - Previously Used Land
- 49 - Coastal Development
- 56 - Travel
- 57 - Natural, Built & Cultural Heritage
- 58 - Protected Species
- 59 - Other important Species
- 60 - Other Importance Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 67 - Renewable Energy Development

#### 4.2 **Inner Moray Firth Local Plan (July 2015)**

Policy 2 - Delivering Development  
WH1 Whiteness

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

Construction Environmental Management Process for Large Scale Projects (August 2010)  
Developer Contributions (March 2013)  
Flood Risk & Drainage Impact Assessment (Jan 2013)  
Highland's Statutorily Protected Species (March 2013)  
Managing Waste in New Developments (March 2013)  
Physical Constraints (March 2013)

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

National Planning Framework 3, 2014  
Scottish Planning Policy, June 2014

### 5. **POTENTIAL MATERIAL PLANNING CONSIDERATIONS**

- 5.1
  - a) Planning history
  - b) National Policy
  - c) Natural Heritage - marine and onshore
  - d) Landscape and Visual Impact
  - e) Traffic Generation
  - f) Residential Amenity
  - g) Pollution and Environmental Management - noise, dust, vibration
  - h) Aviation interests
  - i) Surface Water Drainage
  - j) Flood Risk
  - k) Likely economic impacts

## **6. CONCLUSION**

- 6.1 The report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations against which any future planning application will be considered as well as the potential material planning considerations and key issues based on the information available to date. The list is not exhaustive and further matters may arise as and when a planning application is received and in the light of public representations and consultation responses.

## **7. IMPLICATIONS**

- 7.1 Resource: Not applicable
- 7.2 Legal: Not applicable
- 7.3 Community (Equality, Poverty and Rural): Not applicable
- 7.4 Climate Change/Carbon Clever: Not applicable
- 7.5 Risk: Not applicable
- 7.6 Gaelic: Not applicable

## **8. RECOMMENDATION**

It is recommended the Committee notes the submission of the PAN and advises of any material issues it wishes to be brought to the applicant's attention.

Signature: Nicola Drummond  
Designation: Area Planning Manager – South/Major Developments  
Author: David Mudie  
Background Papers: Documents referred to in report and in case file.  
Relevant Plans: Plan 1 - Location Plan

## PROPOSAL OF APPLICATION NOTICE MOLADH BRATH IARRTAIS

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006  
Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008

**The Council will respond within 21 days of receiving the Notice. It will advise whether the proposed Pre-application Consultation is satisfactory or if additional notification and consultation above the statutory minimum is required. Please note that a planning application for this proposed development cannot be submitted less than 12 weeks from the date the Proposal of Application Notice is received by the Council and without the statutory consultation requirements having been undertaken. The planning application must be accompanied by a Pre-application consultation report.**

Applicant	Ardersier Port Ltd	Agent	Kerri McGuire
Address	c/o Graham + Sibbald	Address	Graham + Sibbald
	.....		233 St Vincent Street
	.....		Glasgow
			G2 5QY
Phone No. ....		Phone	0141 567 5371
E-mail .....		E-mail	[REDACTED]

**Address or Location of Proposed Development** Please state the postal address of the prospective development site. If there is no postal address, please describe its location. Please outline the site in red on a base plan to a recognised metric scale and attach it to this completed Notice

.....Former Fabrication Yard, Ardersier.....

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**Description of Development** Please include detail where appropriate – eg the number of residential units; the gross floorspace in m<sup>2</sup> of any buildings not for residential use; the capacity of any electricity generation or waste management facility; and the length of any infrastructure project. Please attach any additional supporting information.

Renewal of Planning Permission in Principle Application Reference 13/01689/PIP to establish a port and port related services for energy related uses, including marine channel dredging, quay realignment, repair and maintenance, erection of offices, industrial and storage buildings, delivery and export of port related cargo and associated new road access, parking, infrastructure, services, temporary stockpiling of dredged material, re-grading and upfilling of landward areas and landscaping.

**Pre-application Screening Notice**

Has a Screening Opinion been issued on the need for a Proposal of Application notice by the Highland Council in respect of the proposed development?

If yes please provide a copy of this Opinion.

YES.....

NO.....X...

**Community Consultation** [See checklist of Statutory minimum consultation attached]

State which other parties have received a copy of this Proposal of Application Notice.

Community Council/s	Date Notice Served
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Ardersier and Petty Community Council	27/05/18
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Names/details of any other parties	Date Notice Served
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Councillor Roddy Balfour	27/05/18
Councillor Glynis Campbell-Sinclair	27/05/18
Councillor Trish Robertson	27/05/18

**Please give details of proposed consultation**

Proposed public event	Venue	Date and time
Public Drop in Event	Ardersier War Memorial Hall, Station Road, Ardersier, IV2 7SU	Thursday 21 <sup>st</sup> June 2018 2 - 6pm

Newspaper Advert – name of newspaper	Advert date(where known)
Inverness Courier	12 <sup>th</sup> June 2018

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Details of any other consultation methods (date, time and with whom)

Ardersier Port Ltd has offered to attend one of Ardersier and Petty Community Council meetings

Signed



Date

27/05/18



LEGEND:

- = PLANNING RED LINE BOUNDARY
- = HRO LIMITS OF JURISDICTION



**A.F.Cruden Associates**  
 Consulting Engineers  
 24 Bank Street  
 Inverness IV1 1QU  
 Tel: 01463 719200  
 Fax: 01463 719201  
 email: mail@crudens.co.uk

Client:

PORT OF ARDELSIER

Project:

ARDELSIER PORT

Drawing

PLANNING RED LINE BOUNDARY  
& HRO LIMITS OF JURISDICTION

Drawing No.

CA4393/721

Drawn By

BT

Date 23/04/13

Scale 1:10000 @ A1

Rev. A

Revisions

Date

By

A	MHWS line updated in line with survey.	07/08/13	NW
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