

Agenda Item	5.2
Report No	PLN-088-22

HIGHLAND COUNCIL

Committee: North Planning Applications Committee

Date: 6 December 2022

Report Title: 22/04739/PAN: A and D Sutherland

Spittal Mains, Spittal, Wick

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Formation and operation of stone quarry (Spittal Quarry Extension)

Ward: 03 – Wick and East Caithness

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 an application for planning permission.

1.0 BACKGROUND

- 1.1 This report informs 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 made valid on 13 October 2022. The PAN is a statutory requirement for planning applications for major or national developments and must be lodged at least 12 weeks prior to the submission of a planning application. 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 (Application Form)
 - Site Location Plan 1
 - Site Location Plan 2
- 1.4 The developer proposes to undertake two public consultation events on 17 November 2022 and 8 December 2022 at Caithness Flagstone Limited, Spittal 2 Quarry, Spittal between 1400-1900hrs. Event details will also be made available via the applicant's website:
- <https://caithnessflagstone.uk/index.php/spittal-quarry-extension/>
- 1.5 The events will be advertised in the Press and Journal and the John O'Groat Journal on or before 10 November 2022 ahead of the first event and on or before the 1 December 2022 ahead of the second event. A leaflet advertising the events will be distributed by the Royal Mail of the week commencing 7th November 2022 to all residential and business postcode addressed in Watten and Halkirk post code areas.
- 1.6 Details of all notified parties are contained / appended to the PAN form and include Watten Community Council, Halkirk and District Community Council, and Wick and East Caithness ward Members.
- 1.7 Any forthcoming application will be accompanied by a Pre-Application Consultation (PAC) report explaining the consultation undertaken, feedback received, and any resultant amendments made to the planning application.

2.0 DESCRIPTION OF PROPOSED DEVELOPMENT

- 2.1 This PAN provides notice of the developer's intention to submit a planning application for a scheme which is classified as 'major development', as defined by the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009 and under the Town and Country Planning (Scotland) Act 1997 (As Amended). The application is for a 34.6 ha extension to the existing quarry on agricultural land adjacent to the north east of the existing quarry. The development comprises the temporary extraction and processing of high grade Caithness flagstone, with this to be undertaken in phases with on-going restoration (back-filling) of worked out areas as the next phase progresses.

2.2 To date, the developer has not sought formal pre-application advice from the Planning Authority through the Pre-Application Advice Service for Major Developments.

3.0 SITE DESCRIPTION

3.1 The PAN boundary covers an area measuring 34.6ha, comprising predominantly level agricultural land adjacent to the existing quarry. The site also covers Toftingall Farm buildings as well as a broch, Scheduled Monument SM582 located 200m east of Toftingall Farm. The site is bound by the existing quarry and the B870 to the south and agricultural land to the north east and west, with there being limited scattered properties in the vicinity.

3.2 The site is not covered by any natural heritage designations. The majority of the existing quarry does however fall within the National Operations North Sites of Special Scientific Interest which is designated for its middle Devonian fossil fish interest. A key requirement for the Sites of Special Scientific Interest being in good condition is maintaining access to, and visibility of the fossil bearing rocks. A private source of water has been identified for site use in the form of an on-site borehole. Full details on the source and details on the abstraction are yet to be provided. Public rights of way and core paths are located outwith the south western boundary of the original quarry located beyond the A9 west of Spittal. These include: The Old Quarry. Reference CA06.08 and Achanarras Quarry. Reference CA06.07.

4.0 DEVELOPMENT PLAN

The following policies are relevant to the assessment of the proposal:

4.1 Highland Wide Local Development Plan (2012) (IMFLDP)

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 30 - Physical Constrains
- 31 - Developer Contributions
- 45 - Communications Infrastructure
- 36 - Development in the Wider Countryside
- 53 - Minerals
- 54 - Mineral Waste
- 55 - Peat and Soils
- 57 - Natural, Built and Cultural Heritage
- 58 - Protected Species
- 59 - Other Important Species
- 60 - Other Important Habitats
- 61 - Landscape
- 63 - Water Environment
- 64 - Flood Risk
- 65 - Waste Water Treatment
- 66 - Surface Water Treatment
- 72 - Pollution
- 73 - Air Quality
- 77 - Public Access

4.2 Highland Council Supplementary Planning Guidance

- Developer Contributions (Nov 2018)
- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (Mar 2013)
- Physical Constraints (Mar 2013)
- Standards for Archaeological Work (Mar 2012)
- Sustainable Design Guide (Jan 2013)

4.3 Scottish Government Policy and Other Guidance

- Revised Draft National Planning Framework 4 (November 2022)
- Scottish Planning Policy (Jun 2014)
- National Planning Framework 3, NPF3 (Jun 2014)
- PAN 60 – Planning for Natural Heritage (Jan 2008)
- Historic Environment Policy for Scotland (Apr 2019)
- Construction Environmental Management Process for Large Scale Projects, Highland Council (Aug 2010)

5.0 POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- a) Development Plan
 - b) National Policy
 - c) Planning History
 - d) Design and Layout
 - e) Landscape and Visual Impact
 - f) Natural Heritage (including ecology, ornithology, soils and peat)
 - g) Built and Cultural Heritage
 - h) Water Environment (including flood risk, drainage and abstraction)
 - i) Transport, Access and Recreation
 - j) Amenity Impacts (including noise, dust and light pollution)
 - k) Site Restoration
 - l) Any Other Material Considerations Raised within Representations.

6.0 CONCLUSION

- 6.1 The report presents the information submitted to date as part of the PAN. The policy considerations against which any future planning application will be considered have been summarised 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.

7.0 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

8.0 RECOMMENDATION

- 8.1 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.

Designation: Area Planning Manager – North
Author(s): Harry Goacher / Peter Wheelan
Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Proposal of Application Notice
Plan 2 – Site Location Plan 1
Plan 3 – Site Location Plan 2

The Town and Country Planning (Scotland) Act 1997 as amended by the Planning Etc. (Scotland) Act 2006 and Planning (Scotland) Act 2019

Town and Country Planning (Pre-Application Consultation) (Scotland) Regulations 2021

The Council will respond within 21 days of validation 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.

The Proposal of Application Notice will be valid for a period of 18 months from the date of validation of the notice by the Council

Contact Details

Applicant	Mark Mancini	Agent	Catherine Newton
Address	A&D Sutherland Spittal Quarry Watten Caithness KW1 5XR	Address	Bell Ingram Durn Isla Road Perth PH2 7HF
Phone		Phone	01738 646571
Email		Email	Catherine.newton@bellingram.co.uk

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

A&D Sutherland, Spittal Quarry, Watten, Caithness, KW15XR

Description of Development

Please include detail where appropriate – eg the number of residential units; the gross floorspace in m² 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.

A&D Sutherland Ltd will be submitting a planning application to form a new quarry (34.6 hectares) adjacent to the north east of the existing Spittal Quarry, for the purpose of extracting high grade Caithness flagstone. The existing quarry is now depleted and has less than 2 years' supply of commercially usable material remaining. The extraction will be undertaken in phases with on-going restoration taking place in the quarried areas as the next phase progresses.

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?

Yes

No

If yes, please provide a copy of this Opinion. EIA Scoping Response was issued 6 March 2019 after major pre-application enquiry response confirmed that a EIA would be required.

Community Consultation

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

Community Council/s	Date Notice Served
Watten Community Council	13/10/22
Halkirk and District Community Council	13/10/22

Local Elected Members	Date Notice Served
Raymond Bremner	13/10/22
Andrew Jarvie	13/10/22
Willie MacKay	13/10/22
Jan Mc Ewan	13/10/22

Members of Scottish Parliament and Members of Parliament	Date Notice Served
NA	

Details of Proposed Consultation

Proposed Public Event 1	Venue	Date and Time
	Caithness Flagstone Limited (former workshop and shop at northern edge of village on A9), Spittal 2 Quarry, Spittal, KW1 5XR	Thursday 17 November 2022 Between 2.00pm and 7.00pm

Proposed Public Event 2	Venue	Date and Time
	Caithness Flagstone Limited (former workshop and shop at northern edge of village on A9), Spittal 2 Quarry, Spittal, KW1 5XR	Thursday 8 December 2022 Between 2.00pm and 7.00pm

(at least 14 days after Public Event 1)

Publication of Event

Newspaper Advert

Name of Newspaper

Advert Date

Press and Journal

On or before 10 November 2022 for first event on 17 November

John O’Groat Journal

On or before 10 November 2022 for first event on 17 November

Press and Journal

On or before 1 December 2022 for second event on 8 December 2022

John O’Groat Journal

On or before 1 December 2022 for second event on 8 December 2022

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

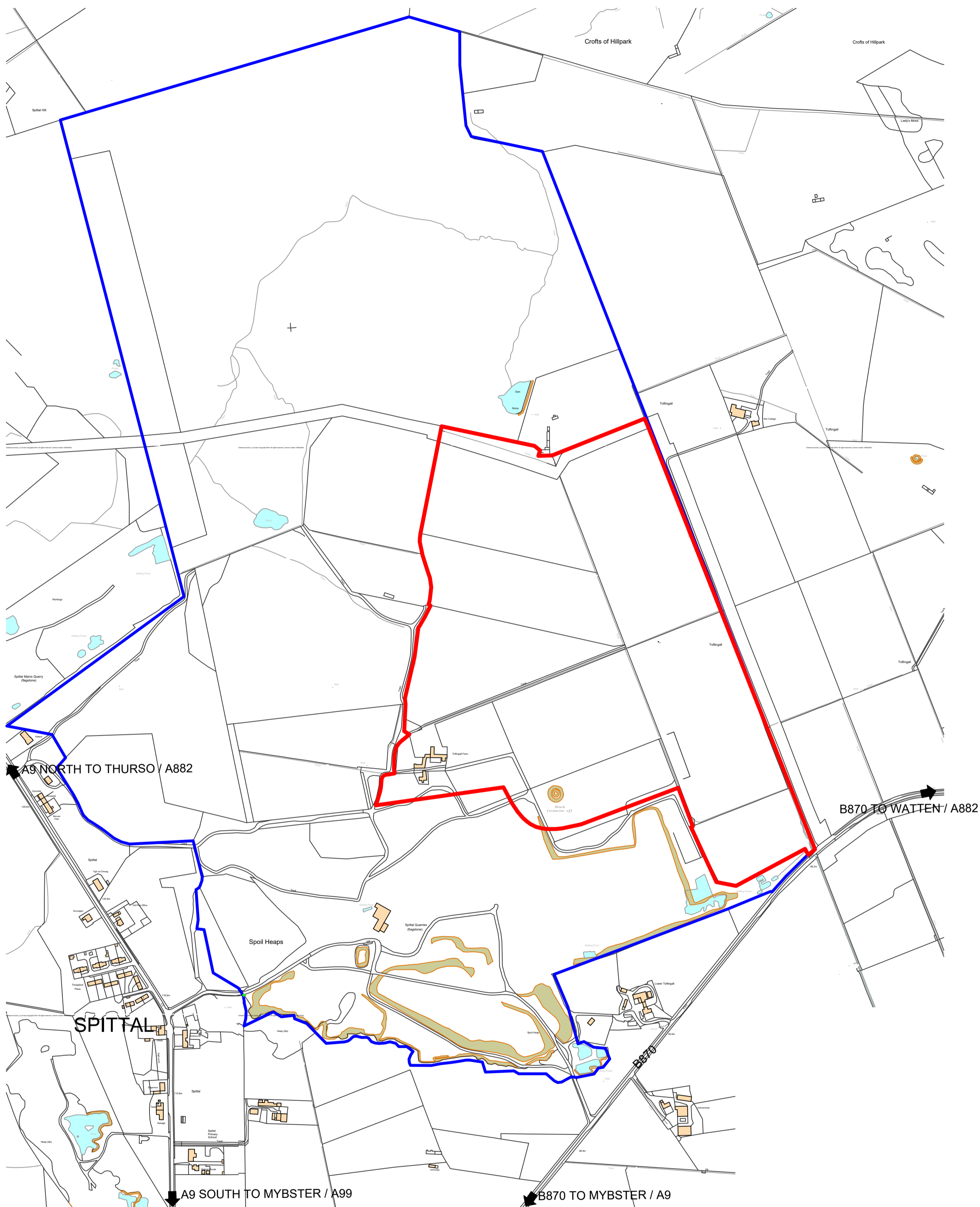
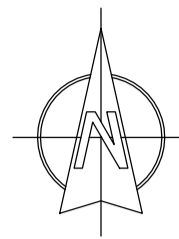
A Leaflet advertising the events will be distributed by the Royal Mail w/c 7 November 2022 to all residential and business postcode addresses in Watten and Halkirk post code areas .

Signed

Date

Catherine Newton

13 October 2022



Revision -
 Date 00-00-00

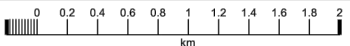


Legend

- Proposed extension area
- Extent of Applicant Ownership



Client D & A Sutherland			
Project Spittal Quarry			
Title Site Plan			
Branch Forfar	Telephone 01307 462516		
Drawn LL	Date Oct'22	Drg Size A2	Checked CN / IBC
Job No. S8591	Scale 1:5,000		
Drg No. L(PL)0101	Rev P01		



OS 50k scale raster
 Thursday, October 13, 2022, ID: M4P-01066356
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Revision
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Date
 00-00-00

Client D & A Sutherland			
Project Spittal Quarry			
Title Rural Location Plan			
Branch Forfar		Telephone 01307 462516	
Drawn LL	Date Oct'22	Drg Size A4	Checked CN / IBC
Job No. S8591		Scale 1:50,000	
Drg No. L(PL0102		Rev P01	

