

Agenda Item	5.1
Report No	PLN/003/24

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 30 January 2024
Report Title: 23/05374/PAN: Sutherland Spaceport Ltd.
Land 2600M SW of Dunbuie Talmine Tongue
Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Construction of vertical launch spaceport with launch operations control centre, site integration facility, launch pad complex, antenna park, access road, fencing, services and associated infrastructure.
Ward: 01 - North, West And Central Sutherland

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 made valid on 7 November 2023. 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
 - Location Plan
- 1.4 In October 2022, The Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2013 were amended by The Town and Country Planning (Pre-Application Consultation) (Scotland) Amendment Regulations 2021. This changed some of the consultation activities required by the applicant for PANs submitted after 1 October 2022. The previous arrangements associated with the Covid-19 public health advice and previous modifications to the regulations, are now superseded. In line with the current regulations, the developer proposes to undertake two in person public consultation events, in the Ben Loyal Hotel, Tongue scheduled as follows:
 - **Event 1:** Tuesday 5 December 2023, between 12-2pm and 5-8pm.
 - **Event 2:** Thursday 18 January 2024, between 12-2pm and 5-8pm.
- 1.5 The consultation was publicised and advertised in accordance with the appropriate statutory requirements, with an advert placed within the Northern Times on 24 November 2023 and for the second event, on 5 January 2023. An invitation maildrop was undertaken, during the week commencing Monday 20 November, making local residents aware of the proposed development and the consultation events. The catchment for its wider distribution covered a radius of 500m from the proposed site. The applicant has been informed of the Council's additional consultation requirement that, for proposals outwith settlement development areas identified within the Local Development Plan, all properties within 2.5km of the boundary of the proposed development should be notified by letter. The PAN form also indicates that the Tongue Community Council was notified, in line with the statutory requirements.
- 1.6 The consultation information was also made available on the applicant's website. The applicant indicated that the provision of a phone number, a further of the Council's additional consultation requirements, was discounted for technical reasons.
- 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. DESCRIPTION OF PROPOSED DEVELOPMENT

2.1 The applicant seeks to amend the consented Sutherland Spaceport development, as originally permitted under reference 20/00616/FUL. The changes involve relocating the range tracking infrastructure to Ben Tongue, on a separate site to the east of the main complex, as well as the following amendments to the primary site:

- Reduction in the size of the launch pad area and minor amendments to the layout of that;
- Reduction in the area of access track that connects the launch pad to other parts of the spaceport;
- Reduction in both the footprint and height of the launch site integration facility (LSIF) and associated yard;
- Realignment of the access track between the A838 to the LSIF.

2.2 The applicant has not sought further formal advice from the Planning Authority via the Pre-Application Advice Service for Major Developments in relation to these proposed amendments, however, there has been more informal discussion between the applicants, Council Officers, Nature Scot and SEPA.

3. SITE DESCRIPTION

3.1 The main site is extensive, measuring around 330ha and is located on the north coast of Sutherland and comprises the relatively untouched landscape type of sweeping moorland and flows of A'Mhoine – the peat bog – which is positioned between the sea to the north and rocky hills and moorland to the south, in turn leading to the lone mountains further to the south of the site including Ben More. The site also overlooks the Kyle of Tongue to the east. The A838 north coast road runs from east to west to the south of the site and is the only significant man-made structure of A'Mhoine aside from the ruins of the Listed Moine house. Tongue village is located to the southeast, with the crofting townships of Melness and Talmine to the east, northeast and north.

3.2 The main site lies close to/within/on the boundary of the Ben Hutig SSSI, the A'Mhoine SSSI and the Caithness and Sutherland Peatlands SAC, SPA and RAMSAR site.

3.3 The Caithness and Sutherland Peatlands SPA & Ramsar site, along with the ornithological features of the A'Mhoine SSSI, recognise the international and national level of importance of the breeding birds, and their supporting habitats.

3.4 The Ben Hope and Ben Loyal Wild Land Area (WLA) lies approximately 0.4 km south of the main site boundary and the Kyle of Tongue National Scenic Area (NSA) is located approximately 1.7 km south east of the site at its closest point and also extends north east of the site.

- 3.5 The additional site for the range tracking infrastructure is located close to the summit of Ben Tongue, adjacent an existing telecoms mast, approximately 5km southeast of the main site. This further site is located partly within the Kyle of Tongue National Scenic Area (NSA).

4. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

4.1 National Planning Framework (NPF) 4

- 1 - Tackling the climate and nature crises
- 3 - Biodiversity
- 4 - Natural Places
- 5 - Soils
- 6 - Forestry, woodland and trees
- 7 - Historic assets and places
- 11 - Energy
- 20 - Blue and green infrastructure
- 22 - Flood risk and water management
- 23 - Health and Safety
- 25 - Community wealth building
- 29 - Rural Development
- 30 - Tourism
- 33 - Minerals

4.2 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality & Place-making
- 30 - Physical Constraints
- 31 - Developer Contributions
- 32 - Affordable Housing
- 34 - Settlement Development Areas
- 51 - Trees and 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
- 72 - Pollution
- 73 - Air Quality
- 74 - Green Networks
- 75 - Open Space
- 77 - Public Access

4.3 **Caithness and Sutherland Local Development Plan (2018)**

The plan defines the Special Landscape Area boundaries within its area.

4.4 **Highland Council Supplementary Planning Policy Guidance**

Construction Environmental Management Process for Large Scale Projects (Aug 2010)

Developer Contributions (Nov 2018)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (Mar 2013)

Standards for Archaeological Work (Mar 2012)

Sustainable Design Guide (Jan 2013)

4.5 **Scottish Government Planning Policy and Guidance**

Designing Streets (March 2010)

Creating Places (June 2013)

5. POTENTIAL MATERIAL PLANNING CONSIDERATIONS

- 5.1
- a) Development plan;
 - b) Planning history;
 - c) National policy;
 - d) Roads and transport;
 - e) Pedestrian and cycle links;
 - f) Water, flood risk, and drainage;
 - g) Natural heritage;
 - h) Built and cultural heritage;
 - i) Design and layout;
 - j) Landscape and visual impact;
 - k) Access and recreation;
 - l) Noise and light pollution;
 - m) Construction impacts;
 - n) Phasing;
 - o) Open space and landscaping;
 - p) Infrastructure capacity and delivery (including education provision); and
 - q) Any other material considerations raised within representations.

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.

Designation: Area Planning Manager – North

Author: Michael Kordas

Background Papers: Documents referred to in report and in case file.

Relevant Plans: Plan 1 – Proposal of Application Notice
Plan 2 UKVLS-NOR-LP001 REV P04 - Location Plan
Plan 3 – UKVLS-NOR-LP002 REV P03 – Location Plan 1
Plan 4 – UKVLS-NOR-LP003 REV P04 – 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.

Data Protection

Your personal data will be managed in compliance with the Data Protection legislation. You can read our privacy notice for planning related certificates on the Council's website at: https://www.highland.gov.uk/directory_record/1052173/planning_applications_consents_and_notice_of_review

I have read and understood the privacy notice.

Contact Details

Applicant	Sutherland Spaceport Ltd	Agent	Aurora Planning Limited
Address	5 Innovation Way Forres Enterprise Park Forres IV36 2AB	Address	22 Rubislaw Terrace Aberdeen AB10 6PT
Phone	01309 255009	Phone	07378 164327
Email	Sutherlandspaceport@orbex.space	Email	info@auroraplanning.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.

Land 2600m SW of Dunbuie, Talmine, Tongue

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.

Construction of vertical launch spaceport with launch operations control centre, site integration facility, launch pad complex, antenna park, access road, fencing, services and associated infrastructure

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
Community Consultation


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

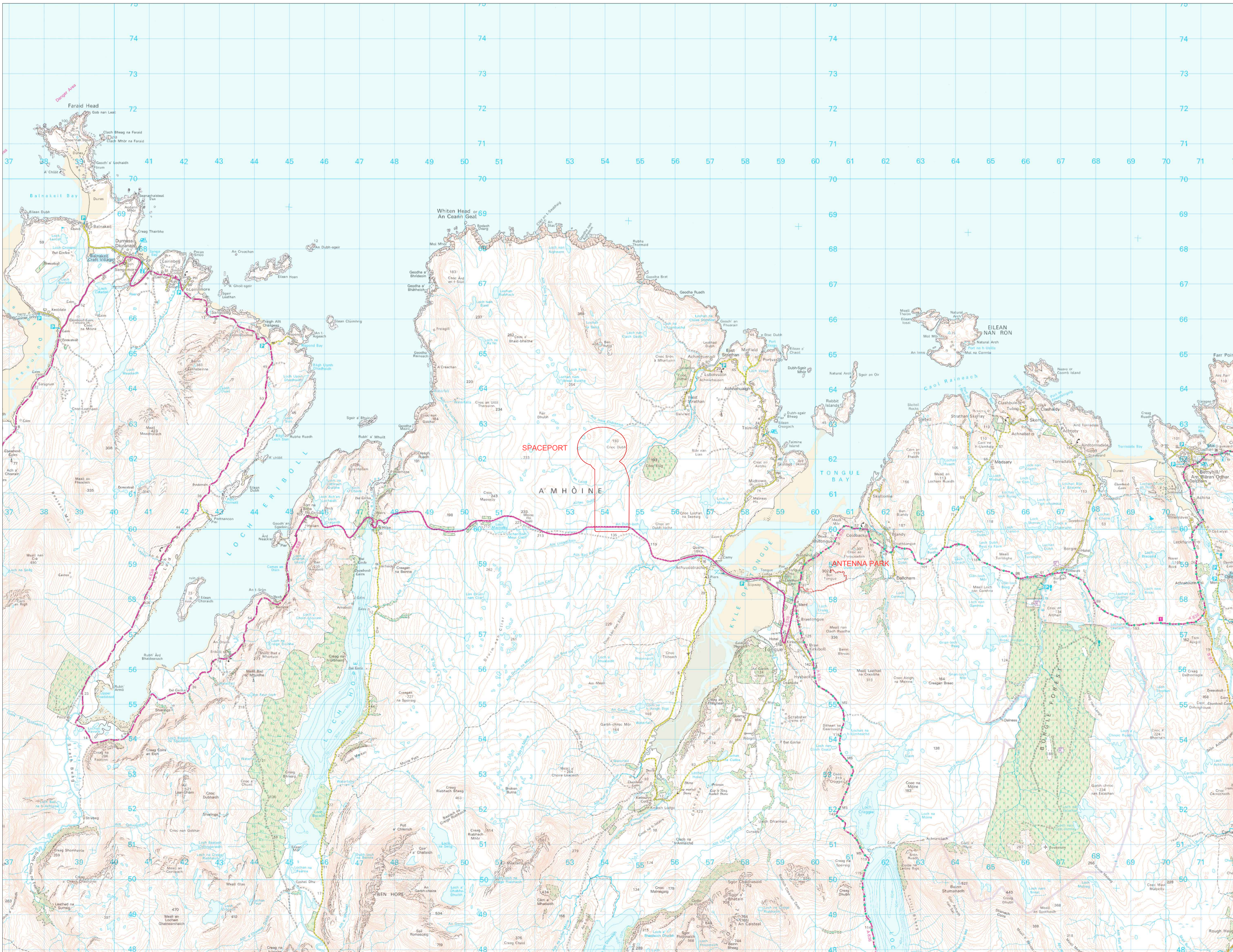
Community Council/s	Date Notice Served
Tongue Community Council – c/o chair, Andrew Gunn	2 November 2023
Local Elected Members	Date Notice Served
Michael Baird Marianne Hutchison Hugh Morrison	2 November 2023
Members of Scottish Parliament and Members of Parliament	Date Notice Served
Ariane Burgess Donald Cameron Rhoda Grant Jamie Halcro Johnston Edward Mountain Emma Roddick Maree Todd Douglas Ross Jamie Stone	2 November 2023
Names / details of other parties	Date Notice Served
Sutherland Spaceport Community Liaison Group – c/o vice-chair, Frances Gunn	2 November 2023
Tongue Grazing Committee – c/o chair, Barry Allsop	

Details of Proposed Consultation		
Proposed Public Event 1	Venue	Date and Time
Public drop-in session	Ben Loyal Hotel, Tongue	5 December 2023 12-2pm and 5-8pm
Proposed Public Event 2 <i>(at least 14 days after Public Event 1)</i>	Venue	Date and Time
Public drop-in session	Ben Loyal Hotel, Tongue	18 January 2024 12-2pm and 5-8pm

Publication of Event		
Newspaper Advert	Name of Newspaper	Advert Date
	Northern Times	24 November 2023 5 January 2024

Details of any other consultation methods (date, time and with whom)
<p>Notice of public events to be made available in local venues – Tongue and Melness Post Offices, Kyle Centre</p> <p>Information available on Orbex website - https://orbex.space/spaceport</p> <p>On-going consultation through Sutherland Spaceport Community Liaison Group</p>

Signed		Date	2 November 2023
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LOCATION PLAN - 1:50000 AT A1

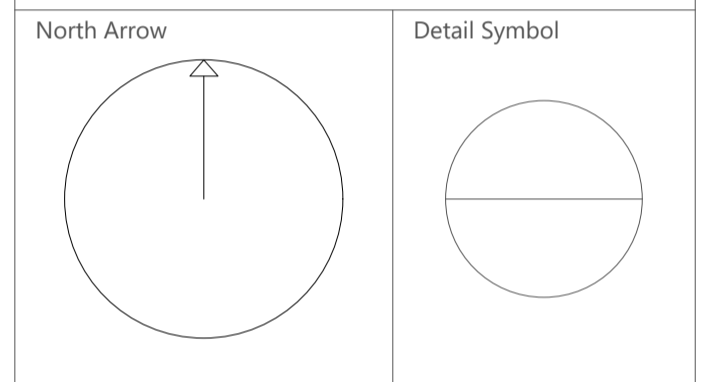
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DATE	REVISION	REV	DRW	CHK
01.11.2023	INITIAL ISSUE	P01	LB	CH
01.11.2023	LABEL UPDATED	P02	LB	CH
02.11.2023	MINOR UPDATES	P03	LB	CH
02.11.2023	MINOR UPDATES	P03	LB	CH

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Keyplan



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Drawn	LB	Date	01.11.2023
Checked	C Hunter	Date	01.11.2023
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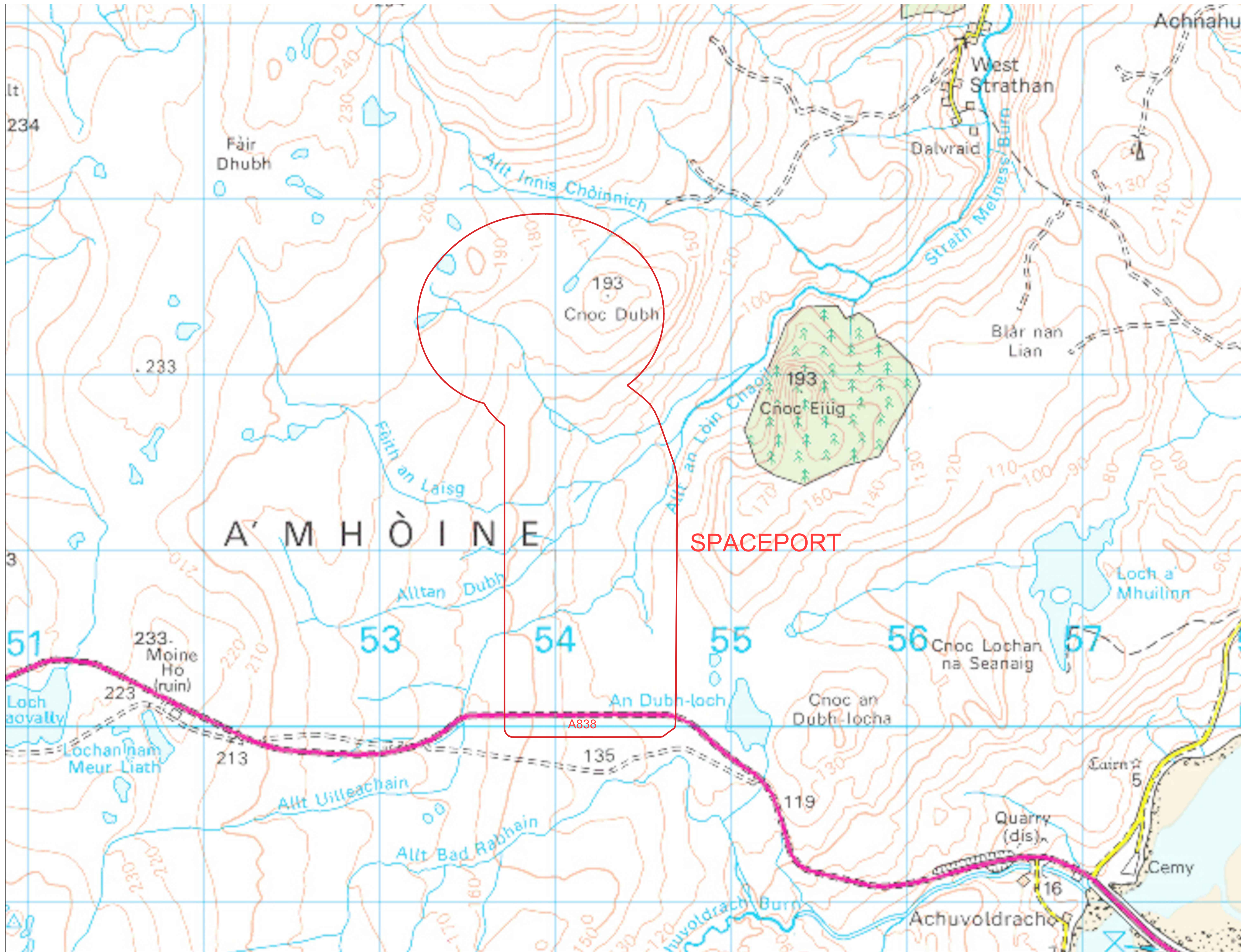
Client
 ORBEX

Project
 SUTHERLAND SPACEPORT

Drawing Title
 POAN LOCATION PLAN

Sheet Status
 S2 - SUITABLE FOR INFORMATION

Project No.	IAGG19-0030	Rev.	P04
Drawing No.	UKVLS-NOR-LP001		



DATE	REVISION	REV	DRW	CHK
01.11.2023	INITIAL ISSUE	P01	LB	CH
01.11.2023	LABEL UPDATED	P02	LB	CH
02.11.2023	MINOR UPDATES	P03	LB	CH

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Keyplan

North Arrow

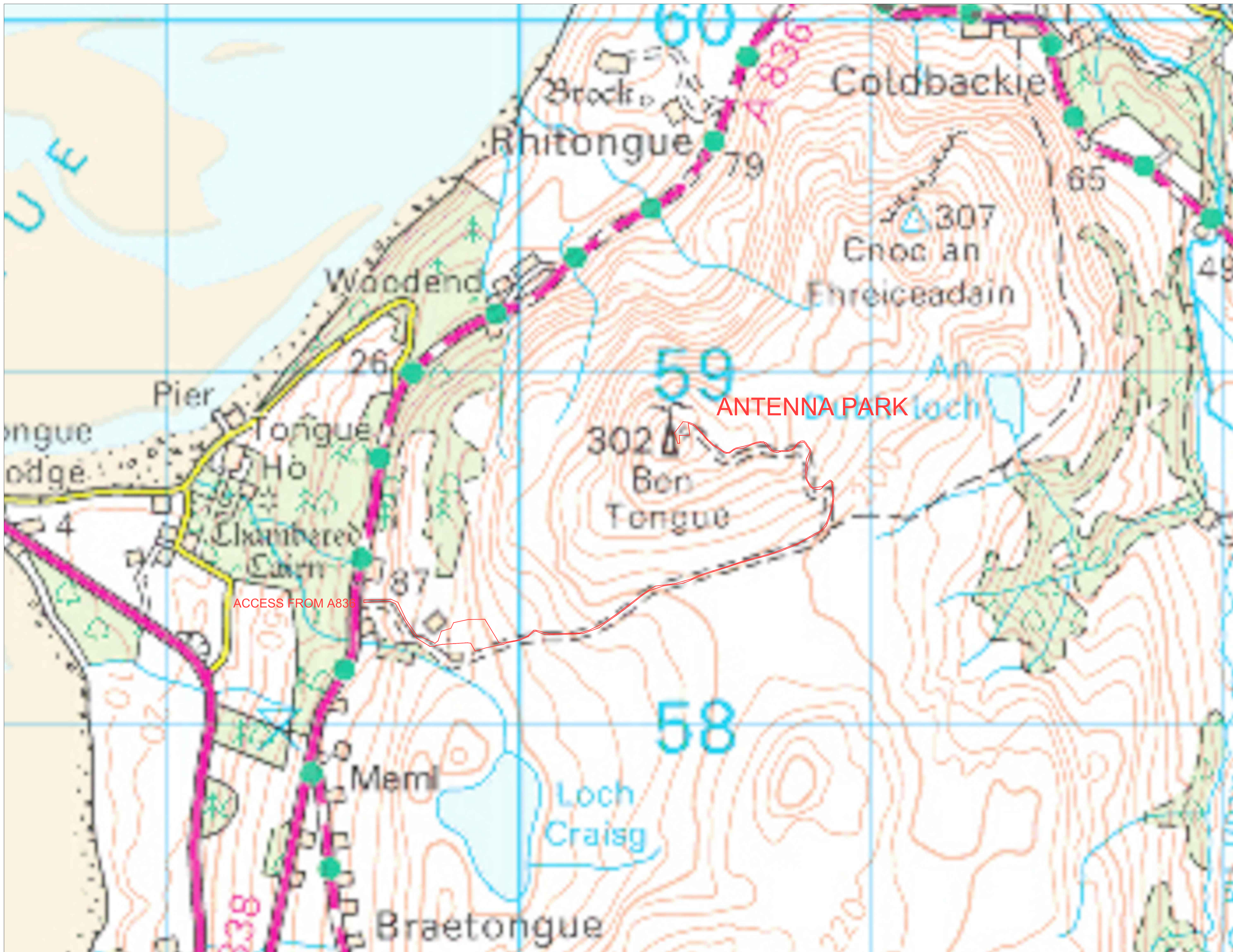
Detail Symbol

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Checked	C Hunter	Date	01.11.2023
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Client	ORBEX		
Project	SUTHERLAND SPACEPORT		
Drawing Title	POAN SUPPLEMENTARY LOCATION PLAN 1		
Sheet Status	S2 - SUITABLE FOR INFORMATION		
Project No.	IAGG19-0030		
Drawing No.	UKVLS-NOR-LP002	Rev.	P03





SUPPLEMENTARY LOCATION PLAN 2 - 1:5000 AT A1



DATE	REVISION	REV	DRW	CHK
01.11.2023	INITIAL ISSUE	P01	LB	CH
01.11.2023	LABEL UPDATED	P02	LB	CH
02.11.2023	MINOR UPDATES	P03	LB	CH
02.11.2023	MINOR UPDATES	P03	LB	CH

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Keyplan

North Arrow	Detail Symbol

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Drawn	LB	Date	01.11.2023
Checked	C Hunter	Date	01.11.2023
Scale	1:5000 @ A1		
Client	ORBEX		
Project	SUTHERLAND SPACEPORT		
Drawing Title	POAN SUPPLEMENTARY LOCATION PLAN 2		
Sheet Status	S2 - SUITABLE FOR INFORMATION		
Project No.	IAGG19-0030		
Drawing No.	UKVLS-NOR-LP003	Rev.	P04