

Agenda Item	5.2
Report No	PLN/074/24

## HIGHLAND COUNCIL

**Committee:** North Planning Applications Committee

**Date:** 29 October 2024

**Report Title:** 24/03693/PAN: A&D Sutherland  
Land 985M NW Of Lydias House  
Toftingall Farm  
Watten

**Report By:** Area Planning Manager - North

### **Purpose/Executive Summary**

**Description:** Proposed New quarry 34.6 hectares to extract high grade Caithness flagstone.

**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. PROPOSED DEVELOPMENT**

- 1.1 This report informs the North 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 10 September 2024. 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
  - Site Layout Plan
- 1.4 There have been two in-person consultation events, the first took place on Thursday 12 September 2024 between 1400-1900 hours at former Caithness Flagstone Ltd premises, and the second on Thursday 26 September 2024 between 1400-1900 hours at former Caithness Flagstone Ltd premises. Both events were advertised in The Press And Journal newspaper, seven days prior to each event.
- 1.5 Details of all notified parties are contained / appended to the PAN form and include Halkirk and Watten Community Councils, as well as local Members and Councillors.
- 1.6 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 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 of the supply of commercially usable material remaining. The extraction will be undertaken in phases with ongoing restoration taking place in the quarried areas as the next phase progresses.

## **3. SITE DESCRIPTION**

- 3.1 The proposed site is situated a short distance east of the A9 road at Spittal. It contains some farm buildings associated with Toftingall Farm in its westernmost corner. Access would be likely to be taken at its south-easternmost corner, via the B870 road. No dwellings are sited immediately adjacent to the proposed site. There are no designated core paths within the site boundary.

- 3.2 A statutory designation within the site boundary is in the form of a Scheduled Ancient Monument, 'Spittal Farm, broch 180m E of' (SM582). Other non-statutory designations include three Highland Historic Environment Record entries:
- MHG1352 - Battle Site, Skida Mire (site of a tenth-century battle);
  - MHG62307 - Farmstead – Toftinghall (farmstead);
  - MHG19824 - Toftingall (longhouse farm, comprising a longhouse, outhouse/enclosure and mill).
- 3.3 There are no national or local landscape designations within the application site boundary. Spittal Quarry SSSI is however located a short distance to the site's south-west and is designated for its Geological/Palaeontological features. The Flow Country, a newly-inscribed World Heritage Site, is located approximately four kilometres to the south-east.

#### **4. DEVELOPMENT PLAN POLICY**

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

##### **4.1 National Planning Framework 4 (2023)**

- 1 – Tackling the climate and nature crises
- 2 – Climate mitigation and adaptation
- 3 – Biodiversity
- 4 – Natural places
- 5 – Soils
- 13 – Sustainable transport
- 14 – Design, quality and place
- 23 – Health and safety
- 25 – Community wealth building
- 33 – Minerals

##### **4.2 Highland Wide Local Development Plan (2012)**

- 28 - Sustainable Design
- 29 - Design Quality and Placemaking
- 30 - Physical Constraints
- 31 - Developer Contributions
- 36 - Development in the Wider Countryside
- 53 - Minerals
- 54 - Mineral Wastes
- 56 - Travel
- 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

66 - Surface Water Drainage

72 - Pollution

#### 4.3 **Caithness and Sutherland Local Development Plan (CaSPlan)**

No site-specific policies or allocations, any future application will be assessed against general NPF4 and HwLDP policies.

#### 4.4 **Supplementary Planning Policy Guidance**

Biodiversity Enhancement Planning Guidance (May 2024)

Developer Contributions (November 2018)

Flood Risk & Drainage Impact Assessment (Jan 2013)

Green Networks (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 2013)

Physical Constraints (Mar 2013)

Roads and Transport Guidelines for New Developments (May 2013)

Standards for Archaeological Work (Mar 2012)

Sustainable Design Guide (Jan 2013)

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

- 5.1
- a) Development Plan and other planning policy;
  - b) Community amenity including operational noise impacts;
  - c) Construction impacts;
  - d) Roads and transport;
  - e) Flood risk and drainage impacts;
  - f) Design, landscape, and visual impact;
  - g) Natural heritage including protected species and habitats;
  - h) Built and cultural heritage;
  - i) Economic impact and tourism;
  - j) Pollution;
  - k) Decommissioning and restoration;
  - l) Outdoor access;
  - m) Cumulative impacts (notably nearby national / major developments including electricity transmission infrastructure); and,
  - n) Any other material considerations raised within representations.

### **6. 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. IMPLICATIONS**

7.1 Not applicable.

## **8. 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.

Signature: Dafydd Jones

Designation: Area Planning Manager - North

Author: Craig Simms

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

Relevant Plans:

Plan 1 – Proposal of Application Notice

Plan 2 – Site Location Plan

Plan 3 – Site layout Plan

**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](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	Mark Mancini	Agent	Iain Cram
Address	A&D Sutherland Spittal Quarry Watten Caithness KW1 5XR	Address	Bell Ingram Durn Isla Road Perth PH2 7HF
Phone	[REDACTED]	Phone	01738 646571
Email	[REDACTED]	Email	iain.cram@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, KW1 5XR

**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.

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**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**

WattenCommunityCouncil

21/8/24

Halkirk and District Community Council

[secretary@halkirkcommunitycouncil.org](mailto:secretary@halkirkcommunitycouncil.org)

21/8/24

**Local Elected Members****Date Notice Served**

Raymond Bremner

[raymond.bremner.cllr@highland.gov.uk](mailto:raymond.bremner.cllr@highland.gov.uk)

21/8/24

Andrew Jarvie

[andrew.jarvie.cllr@highland.gov.uk](mailto:andrew.jarvie.cllr@highland.gov.uk)

21/8/24

Willie MacKay

[Willie.MacKay.cllr@highland.gov.uk](mailto:Willie.MacKay.cllr@highland.gov.uk)

21/8/24

Jan Mc Ewan

[Jan.McEwan.cllr@highland.gov.uk](mailto:Jan.McEwan.cllr@highland.gov.uk)

21/8/24

Ron Gunn <a href="mailto:Ron.Gunn.cllr@highland.gov.uk">Ron.Gunn.cllr@highland.gov.uk</a>	21/8/24
Matthew Reiss <a href="mailto:Matthew.Reiss.cllr@highland.gov.uk">Matthew.Reiss.cllr@highland.gov.uk</a>	21/8/24
Karl Rosie <a href="mailto:karl.rosie.cllr@highland.gov.uk">karl.rosie.cllr@highland.gov.uk</a>	21/8/24
Struan Mackie <a href="mailto:struan.mackie.cllr@highland.gov.uk">struan.mackie.cllr@highland.gov.uk</a>	21/8/24
<b>Members of Scottish Parliament and Members of Parliament</b>	<b>Date Notice Served</b>
Maree Todd <a href="mailto:Maree.Todd.msp@parliament.scot">Maree.Todd.msp@parliament.scot</a>	03/09/24
<b>Names / details of other parties</b>	<b>Date Notice Served</b>
Jamie Stone <a href="mailto:jamie.stone@highlandlibdems.org.uk">jamie.stone@highlandlibdems.org.uk</a>	03/09/24

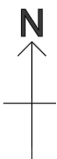
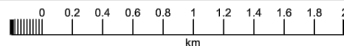
<b>Details of Proposed Consultation</b>		
<b>Proposed Public Event 1</b>	<b>Venue</b>	<b>Date and Time</b>
	Caithness Flagstone Limited (former workshop and shop at northern edge of village on A9 ), Spittal 2 Quarry, Spittal, KW1 5XR	Thursday 12 Sept 2024 2pm – 7 pm
<b>Proposed Public Event 2</b> <i>(at least 14 days after Public Event 1)</i>		
<b>Proposed Public Event 2</b>	Caithness Flagstone Limited (former workshop and shop at northern edge of village on A9 ), Spittal 2 Quarry, Spittal, KW1 5XR	Thursday 26 Sept 2024 2 pm – 7pm



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<b>Publication of Event</b>		
<b>Newspaper Advert</b>	<b>Name of Newspaper</b>	<b>Advert Date</b>
For first event	Press and Journal John O’Groat Journal Caithness Courier	Thursday 5 Sept 2024 Friday 6 Sept 2024 <b>Wednesday 11 Sept 2024</b>
For second event	Press and Journal John O’Groat Journal Caithness Courier	Thursday 19 Sept 2024 Friday 20 Sept 2024 <b>Wednesday 25 Sept 2024</b>
<b>Details of any other consultation methods (date, time and with whom)</b>		
NA		

Signed	Iain Cram	Date	<b>21/8/24</b>
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OS 50k scale raster  
 Thursday, October 13, 2022, ID: M4P-01066356  
 www.nicolsondigital.com

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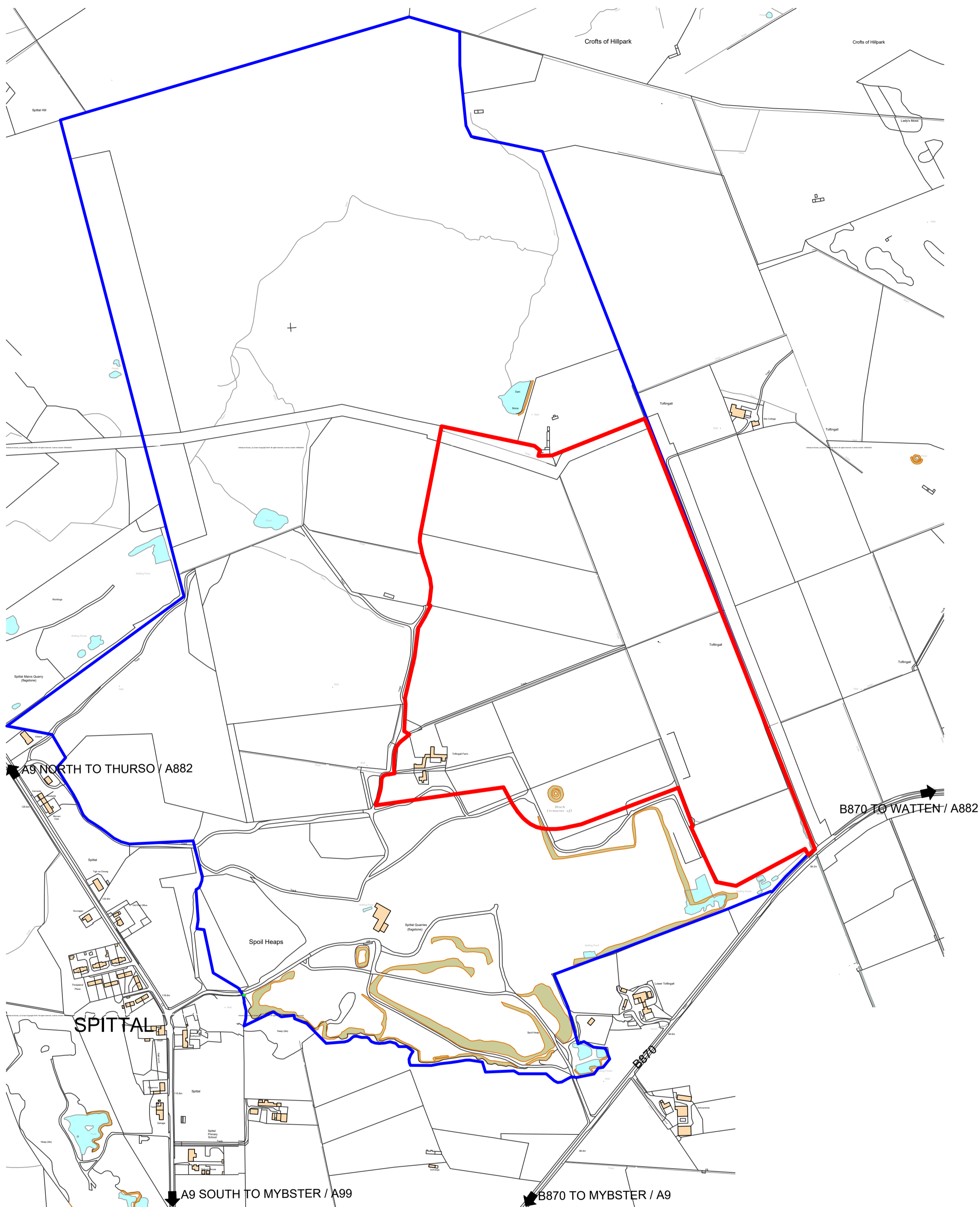
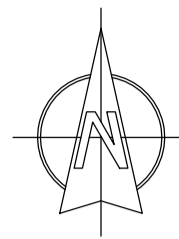


Revision  
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Date  
 00-00-00

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	







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		