

# MORAY COUNCIL

## Minute of Special Meeting of the Planning and Regulatory Services Committee

Thursday, 10 February 2022

### Various Locations via Video-Conference

#### **PRESENT**

Councillor David Bremner, Councillor Frank Brown, Councillor John Cowe, Councillor Gordon Cowie, Councillor John Divers, Councillor Claire Feaver, Councillor Marc Macrae, Councillor Aaron McLean, Councillor Ray McLean, Councillor Laura Powell, Councillor Derek Ross, Councillor Amy Taylor, Councillor Sonya Warren

#### **APOLOGIES**

Councillor Louise Nicol

#### **IN ATTENDANCE**

Head of Economic Growth and Development, Development Management and Building Services Manager, Mr N MacPherson, Principal Planning Officer (Development Management), Mrs D Anderson, Senior Engineer (Transport Development), Legal Services Manager and Mrs L Rowan, Committee Services Officer as Clerk to the Committee.

#### **ALSO PRESENT BY INVITATION**

Mr Chris Newman, Project Development Associate, Moray Offshore Windfarm (West) Ltd

### **1 Chair**

Councillor Bremner, being Chair of the Planning and Regulatory Services Committee, chaired the meeting.

### **2 Declaration of Group Decisions and Members Interests**

In terms of Standing Order 20 and the Councillor's Code of Conduct, there were no declarations from group leaders or spokespersons in regard to any prior decisions taken on how members will vote on any item on the Agenda nor any declarations of Members Interest in respect of any item on the Agenda.

### **3 Pre-Determination Hearing: Planning Application 21/01391/APP**

**Ward 2 - Keith and Cullen**

## **Installation of underground electricity cables and associated development on Land Between Greenhill and Factors Park Plantation, Deskford, Cullen, Moray for Moray Offshore Windfarm (West) Ltd.**

Reports were submitted by the Head of Governance Strategy and Performance and the Appointed Officer in regard to an application for the installation of underground electricity cables and associated development on Land between Greenhill and Factors Park Plantation, Deskford, Cullen, Moray for Moray Offshore Windfarm (West) Ltd.

The report by the Appointed Officer advised that the application had been referred to a Pre-determination Hearing as the application is a National Development as defined under the Hierarchy Regulations 2009 and National Planning Framework 3 (NPF3) where it is identified within national development 4 - High Voltage Electricity Network (where the proposed new electricity transmission cables would exceed the minimum threshold of 132kV). In accordance with the Pre-determination Hearing procedure, the Applicant and those submitting representations were invited to attend and be afforded the opportunity of being heard. The report by the Head of Governance, Strategy and Performance set out the proposed procedure for the Hearing.

The Chair welcomed those present and advised that submissions must be restricted to those already submitted. He further advised that the Hearing would be confined to examining the planning merits of the application and therefore discussion on irrelevant non-planning related issues would not be considered.

The Committee noted that Mr Chris Newman, Project Development Associated, Moray Offshore Windfarm (West) Ltd was in attendance and representing the Applicant.

The Clerk advised the Committee that, of those submitting representations on the application as listed on page 31 of the Appointed Officer's report, Mr and Mrs Canning had not accepted the invitation to address the Committee however had submitted a written statement that had been circulated to the Committee and uploaded to the Committee Management System (CMIS) along with the agenda.

The Chair outlined the procedure to be followed for the Hearing, which was accepted by the Committee and Mr Newman (on behalf of the Applicant).

Mr Newman, representing the Applicant, addressed the meeting on the application and representation received and responded to questions from the Committee thereafter.

The Clerk then read out the written statement provided by Mr and Mrs Canning. The main objection to the application, noted by the Committee, was that their property is bounded on all sides by open agricultural land and that they were of the view that it was unnecessary for the cable to pass through their land or under their house.

Mr Newman addressed this concern during his presentation and explained that the site proposed covers a wider area to allow for a degree of micro-siting when laying the cable and that the cable will not be installed under any property.

The Chair then asked the Applicant if he was happy with the manner in which the hearing had been conducted. In response, the Applicant confirmed that he was happy with the hearing proceedings.

The Chair then asked if anyone from the Development Management Service would like to make any further comment.

In response, Mr MacPherson, Principal Planning Officer advised that some of the compensatory planting lies on what will be the final temporary construction compound of the substation site, and some commissioning and testing of the proposed cable route may have to occur before all the compensatory tree planting can be carried out. He advised that, should the Committee be minded to approve the planning application, consideration should be given to amending condition 12 to convey that no later than the first planting season following the full electrification of the cable route and substation, the compensatory planting must be fully implemented.

The Legal Adviser further advised that this information would be relevant for the next meeting of the Planning and Regulatory Service Committee where the planning application would be considered. This was noted.

The Chair thanked those in attendance and advised that the Planning and Regulatory Services Committee would now meet to consider Planning Application 21/01391/APP, in line with the Pre-determination Hearing procedure, and concluded the hearing.