



**REPORT TO: PLANNING AND REGULATORY SERVICES COMMITTEE ON
3 AUGUST 2021**

**SUBJECT: 21/00653/PAN – INSTALLATION OF UNDERGROUND
ELECTRICITY CABLES AND ASSOCIATED DEVELOPMENT AT
LAND BETWEEN GREENHILL AND FACTORS PARK
PLANTATION DESKFORD, CULLEN, MORAY**

**BY: DEPUTE CHIEF EXECUTIVE (ECONOMY, ENVIRONMENT AND
FINANCE)**

1. REASON FOR REPORT

- 1.1 To inform the Committee that a Proposal of Application Notice (PAN) was submitted on 14 May 2021 on behalf of Moray Offshore Windfarm (West).
- 1.2 This report is submitted to Committee in terms of Section III (E) (1) of the Council's Scheme of Administration relating to exercising the statutory functions of the Council as a Planning Authority.

2. RECOMMENDATION

2.1 It is recommended that:

- (i) in noting the terms of this report, the Committee advise upon any provisional views/relevant issues that Members of this Committee (or any other Member(s) of the Council) wish to raise about the proposed development so that these matters can be recorded and thereafter fed back to the prospective applicant in order to inform the development of their proposed formal application for planning permission; and
- (ii) the matters raised by the Committee also be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.

3. BACKGROUND

- 3.1 Scottish Government has published guidance which encourages elected members to highlight any issues with a proposed development at the pre-application stage which they would wish to see taken into account within any formal application for planning permission.

- 3.2 Following consideration by this Committee on 11 November 2014 it was agreed that any PAN received after this date would be reported to Committee to give Members of the Committee, and the Council, the opportunity to identify any key issues/provisional views about the proposed development and that these matters be reported back to applicant (paragraph 4 of the Minute refers).
- 3.3 This current report is not about the merits of the proposed development but rather, based on local knowledge of local issues and wider concerns, etc. Members are invited to identify any matters relevant to the proposal. These will be reported back to the prospective applicant for their information and attention, and to inform the development of the proposed application. It is also proposed that, for information, Members' comments be forwarded to consultees likely to be involved in any formal application for planning permission for the proposal.
- 3.4 As described, this PAN relates to the re-routing of a section of underground high voltage cable, the route for which was previously approved in principle under planning application reference 18/01046/EIA - Construct onshore electrical transmission infrastructure comprising of a cable transition jointing bay underground cable circuits construction of substation to south of Keith with further connecting cabling to allow connection with existing transmission network at Blackhillock including temporary construction compounds access track laydown areas and other associated works. This consent was granted by Moray Council in December 2018. A plan is appended showing the location and extent of the site (**Appendix 1**). As the cable will be in excess of 132Mw, it will be classed a 'National' level planning application. This cable forms part of the consented Moray West Offshore windfarm and the re-routing is required to address constraints within the approved corridor.
- 3.5 The proposed application site sees the re-routing of a section of cable to outwith the previously approved corridor approved as part of the consent referred to above. The section of cable is to be re-routed eastward, and will site within areas of woodland, and any submission will address the loss of woodland. Other constraints exist within this re-directed route area including surface water flooding and archaeological features, but the applicant is aware of these other constraints. This planning application would be for full planning permission, dovetailing with the other sections of cable which would be submitted as a separate application for approval of matters conditioned (AMC) application.
- 3.6 A formal response has been issued to the applicant's agent to confirm that the proposed arrangements for engaging with the local community outlined in the PAN are suitable. The applicant has confirmed they propose to consult various community councils, local ward members, hold an online public consultation event and publicise this with a notice in the local press.
- 3.7 The Town and Country Planning (Miscellaneous Temporary Modifications) (Coronavirus) (Scotland) Regulations 2020 have temporarily suspended the need to hold a public event in relation to PANs from 24 April 2020 provided that the PAN was submitted before the end of the emergency period and that any formal planning application following on from the PAN is lodged within 6

months of the end of the emergency period. In line with the new regulations the agent has confirmed that a virtual public consultation event was held between 17-24 May 2021. This was advertised locally prior to opening and the community councils were made aware of the arrangements. In order to be valid a National application must be supported by a pre-application consultation report setting out the steps taken to consult with the local community, details of comments made on the proposal and how the applicant has responded to all comments made on the proposal in the development of the application.

4. SUMMARY OF IMPLICATIONS

(a) Corporate Plan and 10 Year Plan (Local Outcomes Improvement Plan (LOIP))

Identifying key issues at an early stage to assist with front loading major planning applications is a vital aspect of supporting and facilitating the Council's priority for economic development in Moray.

(b) Policy and Legal

Scottish Government guidance on the role of councillors in pre-application procedures affords elected members the opportunity to offer general provisional views on forthcoming developments which are the subject of a PAN where the details of the development have yet to be finalised.

(c) Financial implications

None.

(d) Risk Implications

None.

(e) Staffing Implications

None.

(f) Property

None.

(g) Equalities/Socio Economic Impact

None.

(h) Consultations

Depute Chief Executive (Economy, Environment and Finance), the Head of Economic Growth and Development, the Legal Services Manager, the Development Management and Building Standards Manager, the Equal Opportunities Officer, the Strategic Planning and Development Manager, and Lissa Rowan (Committee Services Officer) have been consulted, and comments received have been incorporated into the report.

Members of Moray Council who are not on the Planning & Regulatory Services Committee have also been consulted and any views received on the proposal will be made known at the meeting.

5. CONCLUSION

- 5.1 The Council has received a PAN intimating that a formal application for planning permission will be submitted for a National development proposal, in this case for permission for a section of underground high voltage cable re-routed from its previously approved corridor. The Committee (and any other Member(s) of the Council) are asked to identify any provisional views/relevant issues which they would wish to see taken into account and inform the development of the proposal.**

Author of Report:

Neal MacPherson, Principal Planning Officer

Background Papers:

Ref:

21/00653/PAN