

ANGUS COUNCIL

DEVELOPMENT STANDARDS COMMITTEE – 15 DECEMBER 2020

PLANNING APPLICATION – PITAIRLIE QUARRY MONIKIE

GRID REF: 349945 : 737473

REPORT BY SERVICE LEADER – PLANNING & COMMUNITIES

Abstract: This report deals with planning application No. [20/00587/FULM](#) for the proposed extension of Pitairlie Quarry for the extraction of hard rock including the restoration of the land and restoration of the existing Pitairlie Quarry for Denfind Stone Ltd at Pitairlie Quarry, Monikie. This application is recommended for conditional approval.

1. RECOMMENDATION

It is recommended that the application be approved for the reason and subject to the direction and conditions given in Section 10 of this report.

2. ALIGNMENT TO THE ANGUS LOCAL OUTCOMES IMPROVEMENT PLAN/CORPORATE PLAN

This report contributes to the following local outcome(s) contained within the Angus Local Outcomes Improvement Plan and Locality Plans:

- Safe, secure, vibrant and sustainable communities
- A reduced carbon footprint
- An enhanced, protected and enjoyed natural and built environment

3. INTRODUCTION

3.1 The applicant seeks full planning permission for the proposed extension of Pitairlie Quarry for the extraction of hard rock including the restoration of the land and restoration of the existing Pitairlie Quarry. A plan showing the location of the site is provided at Appendix 1.

3.2 The application site extends to some 13ha with the existing quarry comprising an area of around 4ha, and the proposed quarry extension area extending to around 9ha. The existing quarry would be restored, in part with materials from the proposed quarry extension. The proposed quarry extension area is located to the north of the existing quarry and comprises sloping agricultural land. Denfind Plantation is located to the north with agricultural land bounding the site to the east and west. The existing quarry, processing, office facilities and car parking bound the site to the south. A number of residential properties are located a short distance to the east of the extension area.

3.3 The proposed reinstatement of the existing quarry involves reprofiling of existing ground levels to provide an undulating landform. That process would involve movement of existing material within the quarry void and importation of overburden and soils from the proposed quarry extension area. The reprofiled land would be planted with grass, shrubs/scrub and trees and existing ponds in the southwest corner would be retained. The restoration plan makes provision for an informal link across the southern quarry area from Pitairlie Den Plantation in the west to the existing path on the eastern quarry boundary, linking to the B861 and Core Path 184.

It is indicated that the restoration would be complete by the end of extraction from phase 1 of the quarry extension.

- 3.4 The proposed quarry extension excavation area itself extends to around 4.7ha and would allow for the extraction of around 375,000 tonnes of sandstone with an output not exceeding 8,000 tonnes per annum over a period of up to 50 years, with a further 12 months required to complete restoration. Stone would be extracted by an excavator and no blasting is proposed or required. The depth of overburden down to rock head varies across the extraction area from around 5m to 9m. The excavation of sandstone is proposed to be undertaken from rock head to a depth of 15m; an overall excavation depth of 20m to 24m. The site would be developed in 3 phases with Phase 1 comprising an area of some 2.2ha adjacent to the southern boundary which would be worked over a period of approximately 11 years. Phase 2 would comprise an area of 1.1ha to the north of Phase 1 which would be worked over a period of around 15 years. Phase 3 would comprise an area of 1.4ha to the north of phase 2 which would be worked over a period of 21 years. Progressive restoration is proposed to take place as the development proceeds.
- 3.5 No buildings or fixed plant would be required within the extension area as the existing infrastructure at the Pitairlie Quarry processing facility (site access route, offices, weighbridge, processing facility, hard standing, stockpiling, maintenance and fuelling facilities) would serve the extension area. No new access to the public road is required.
- 3.6 The application has not been subject of variation.
- 3.7 The application is supported by an Environmental Impact Assessment Report (EIA Report) and it constitutes a major development in terms of the Town and Country Planning (Hierarchy of Developments) (Scotland) Regulations 2009. The application and the EIA Report have been subject of statutory advertisement in the local press.

4. RELEVANT PLANNING HISTORY

- 4.1 Planning permission was granted on 10 May 2004, for a quarry waste processing facility to produce stone products at Pitairlie Quarry (Appn Ref: [04/00156/MIN](#) and Report No. [556/04](#) refers). That planning permission was implemented.
- 4.2 Planning permission was granted on 13 November 2008, for an extension of the working area at Pitairlie Quarry (Appn Ref: [08/00401/MIN](#) and Report No. [1120/08](#) refers). That planning permission has been implemented and the quarry is currently operational.
- 4.3 Planning permission was granted on 16 August 2011, for the erection of a new building for the processing of stone including a training area, welfare facilities, offices and associated car parking at the quarry (Appn Ref: [11/00066/FULL](#) refers). That planning permission has been implemented and the building is operational.
- 4.4 Planning permission was granted on 7 August 2018, for a the erection of stone processing building with associated concrete hard standing area and alterations and extension to existing processing building to provide staff welfare facilities and a canopy over a stone feed hopper at the quarry (Appn Ref: [17/00917/FULL](#) and Report No. [219/18](#) refers). That planning permission has been implemented and the building is operational.
- 4.5 A Proposal of Application Notice (ref: [20/00300/PAN](#)) was submitted in April 2020 in respect of an extension of sandstone extraction area and the restoration of the existing working area at Pitairlie Quarry. A briefing note covering the submission and identifying likely key issues was sent to councillors representing the Carnoustie and District ward and those on Development Standards Committee (20 May 2020).

- 4.6 Over a period of time there have been various complaints from the occupants of a neighbouring property regarding operations associated with the quarry. These have included issues related to hours of operation, noise and dust. Both the quarry and the adjacent stone processing operation are subject to conditions designed to control both noise and dust to acceptable levels. Officers from the Planning and Environmental Health Services have investigated those complaints and that has included monitoring of noise levels and observation of dust. In terms of dust, concerns have been shared with SEPA and the Health and Safety Executive and it is understood that both are satisfied that the quarry is operating in accordance with relevant requirements that they enforce. Noise monitoring has been undertaken and to date has not identified any breach of limits set by planning conditions. The operator has also engaged a noise consultant to monitor noise emissions and that indicates compliance with relevant noise limits.
- 4.7 Planning permission was granted on 28 December 2017 for the erection of 20 wigwam cabins for holiday use, a reception building, car parking area, access tracks and associated engineering works on land at Denfind Plantation, Panmure Road Monikie (Appn Ref: [17/00608/FULL](#)). That permission is on land to the north of the current application site. It has not been implemented and an application has recently been submitted that effectively seeks to renew that permission (Appn Ref: [20/00666/FULL](#)).

5. APPLICANT'S CASE

- 5.1 An EIA Report along with a Non-Technical Summary (NTS) has been submitted in support of the application. Chapters 1 – 5 describe the development and the legal and policy framework within which the application will be determined. Chapters 6 – 10 are classed as technical chapters which are informed by specialist reports. The EIA Report comprises the following chapters and associated appendices: -

1. Introduction;
2. Background to the Proposal;
3. Quarry Development and Method of Working;
4. Restoration and Aftercare;
5. Planning and Development Framework;
6. Landscape and Visual Impact Assessment;
7. Hydrological and Hydrogeological Assessment;
8. Ecology;
9. Noise;
10. Air Quality; and
11. Summary of Impacts and Mitigation.

Appendix 1 – Pre-application Consultation Report;

Appendix 2 – Consultee Responses to Screening and Scoping of EIA;

Appendix 3 – Waste Management Plan;

Appendix 4 – Site Investigation and Piezometer Data;

Appendix 5 – Ecological Impact Assessment;

Appendix 6 – Noise Impact Assessment;

Appendix 7 – Dust and Air Quality Assessment;

Appendix 7A – Dust Management Plan; and

Appendix 8 – Archaeological Desk-based Assessment and Walkover Survey.

- 5.2 The EIA Report advises that the method of working has been designed on engineering principles which will enable safe working both for site personnel and members of the public, while ensuring stability of the surrounding land. It indicates that no quarry development can be designed to have no adverse environmental impacts, although mitigation measures can negate many of these, lower the magnitude of others and reduce the probability of significant impacts occurring. The

report advises that following the implementation of the mitigation measures described in the Environmental Impact Assessment Report the overall environmental impact of the proposal is considered to be slight reducing to negligible at restoration. It concludes that, in planning terms, the proposal is in accordance with National and Development Plan policy and that the positive benefits identified outweigh the identified minor disbenefits.

5.3 The following supporting information has also been submitted: -

- Archaeological Written Scheme of Investigation;
- Groundwater Dewatering Management Plan; and
- Review of objections raised by letters of representation.

5.4 The EIA Report and the NTS are available to view on the council's [Public Access](#) system and a copy of the NTS is provided at Appendix 2. The other supporting documents are also available on the [Public Access](#) system and are summarised at Appendix 3.

6. CONSULTATIONS

6.1 **Angus Council – Roads** – has not objected to the proposal.

6.2 **Angus Council – Environmental Health Service** – has assessed information in relation to noise emissions and air quality associated with the proposed development as well as the cumulative impact of existing and proposed operations at the site. It is satisfied that national air quality limits would not be exceeded and overall air pollution levels in the area should not be significantly affected. The Service is satisfied that noise emissions from activities associated with the proposed development would not significantly impact on residential amenity. Planning conditions are suggested to deal with matters related to noise and dust.

6.3 **NatureScot (formerly SNH)** – has reviewed the supporting information submitted as part of the EIA Report in relation to natural heritage impacts and has advised it has no comments on the proposal.

6.4 **Scottish Environment Protection Agency (SEPA)** – has offered no objection to the application subject to a condition requiring provision of a revised watering/dewatering management plan. No objection is offered in relation to impacts on the water environment and air quality impacts.

6.5 **Historic Environment Scotland (HES)** – has offered no objection to the proposal and is satisfied that the proposals do not raise historic environment issues of national significance.

6.6 **Aberdeenshire Archaeological Service** – has reviewed the submitted information and offered no objection. It has confirmed that an archaeological written scheme of investigation submitted by the applicant is broadly acceptable and has requested a condition to deal with the matter and any subsequent additional work that might prove necessary.

6.7 **Health & Safety Executive** – has indicated that it does not advise against the granting of planning permission on safety grounds.

6.8 **Scottish Water** – has offered no objection to the proposal.

6.9 **Community Council** – neither supports nor objects to the application but has indicated they undertook a consultation exercise with the local community via social media in relation to the application. 492 people reacted to the process, with 5 objections being submitted to the community council. *The full representation from the*

community council is provided at Appendix 4 and is available to view on the council's [Public Access](#) system.

7. REPRESENTATIONS

7.1 103 letters of representation have been received with 2 offering general comment, 12 raising objection, and 89 offering support of the proposal. The letters of representation are provided at Appendix 4 and are available to view on the council's [Public Access](#) website.

7.2 The following matters have been raised as objections and are discussed under Planning Considerations: -

- **Adverse impacts on amenity and danger to health from noise and dust;**
- **Adverse impacts on the general amenity of the area, including Monikie Country Park and the proposed tourist accommodation at Denfind Plantation;**
- **Unacceptable landscape and visual impacts, and change in rural character;**
- **Unacceptable method of phasing and working;**
- **The length of permission sought is excessive;**
- **Current circumstances will impact the long-term viability of the quarry;**
- **Road traffic safety impacts;**
- **Unacceptable impacts on wildlife and habitat.**

7.3 In addition, the following matters have been raised in objection and are addressed: -

- **Properties were not notified of the pre-application public event;**
- **Properties were not notified of the planning application;**
- **Further consultation should take place between the applicant and local community.**

The applicant has indicated that notification of the live and interactive web-based pre-application consultation event was given by a letter drop to all residents within 300m of the proposed planning application boundary and by public notice in The Courier. A report on the pre-application consultation event has been submitted with the application. There is no evidence to demonstrate that the applicant has not complied with statutory pre-application community consultation requirements. Angus Council has undertaken the neighbour notification process in accordance with the requirements of relevant Regulations. The application and the Environmental Impact Assessment Report have been subject of advertisement in the press; they have been made available online; and site notices have been posted in the area surrounding the application site. Interested parties have been provided opportunity to comment on the proposal in accordance with legislative requirements.

- **The noise and dust monitoring undertaken for the development is flawed and contains a number of discrepancies.**

The Environmental Health Service has reviewed the submitted documentation and is satisfied that the methodologies used to inform the assessments are acceptable and that the information provides an appropriate basis for determination of the planning application.

- **Conditions attached to planning permission 08/00401/MIN have not been complied with.**

Conditions attached to the previous quarry permission are not directly relevant to the consideration of this application and the matter is discussed in the Planning History section of this report above. As indicated, investigation has not identified any

significant breach of planning conditions. Issues that have been identified have been addressed by the operator.

- **Comments in support of the application are generally from people who do not live in the village.**

Anyone is entitled to comment on a planning application. A decision-maker might consider the location of a contributor in determining the weight to be given to any comments submitted. The letters of support are discussed in the consideration of the application.

- **Loss of view and devaluation of property.**

These are not material planning considerations and should not be taken into account in the determination of this application. However, the issues that lie behind these concerns such as impact on amenity are relevant matters and are discussed below.

7.4 The following matters have been raised in support to the application and are discussed under Planning Considerations: -

- **Continuity for business and local employment;**
- **Compatible with government and development plan policy;**
- **Provides for appropriate mitigation and restoration;**
- **No change in vehicle movements;**
- **Material from the quarry is of value to economy and cultural heritage;**
- **Business operates to a high standard of health and safety and adopts best practice within the stone industry;**
- **Extension would promote sustainability as it would avoid the need to import stone into the area;**
- **Quarry has not had detrimental impacts on Monikie Country Park;**
- **Extension would not impact on the neighbouring tourist development site.**

8. PLANNING CONSIDERATIONS

8.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 require that planning decisions be made in accordance with the development plan unless material considerations indicate otherwise.

8.2 In this case the development plan comprises: -

- [TAYplan](#) (Approved 2017)
- [Angus Local Development Plan](#) (ALDP) (Adopted 2016)

8.3 The development plan policies relevant to the determination of the application are reproduced at Appendix 5 and have been taken into account in preparing this report.

8.4 The application site is not located within a development boundary as defined by the ALDP and is not allocated or otherwise identified for development by that Plan. Policy DS1 of the ALDP states that outwith development boundaries proposals will be supported where they are of a scale and nature appropriate to their location and where they are in accordance with relevant policies of the ALDP. The policy promotes the redevelopment of brownfield land in preference to greenfield sites and indicates that development proposals should not result in adverse impacts, either alone or in combination with other proposals or projects, on the integrity of any European designated site.

Need for the Development

8.5 Policy 9 of TAYplan and Policy PV19 of the ALDP are both relevant to the

determination of this application. TAYplan Policy 9 refers to finite resources and indicates that there is a requirement to identify and protect minerals deposits of economic importance and maintain a minimum 10 years supply of construction aggregates at all times in all market areas. Policy PV19 of the ALDP deals with minerals and indicates proposals for new or extended mineral workings must demonstrate that the development is required to maintain, at least a 10 year land bank for aggregates or the development is required for the local, regional and/or national market that cannot be satisfied by recycled or secondary aggregates at existing workings. Scottish Planning Policy (SPP) recognises that minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. It indicates that planning should safeguard mineral resources and facilitate their responsible use.

- 8.6 Pitairlie Quarry has been operating for several years, predominantly reworking waste associated with a historic quarry to recover sandstone. Reserves of recyclable material are now limited with around 1-2 years remaining. The existing permission that allows quarrying at the site requires the land to be restored. The proposed quarry extension would provide a new source of sandstone for the existing business. While there are several quarries in the area that produce hard rock, there are no active or consented quarries within the Dundee and Angus market area that are producing sandstone suitable for processing into dimensional or cladding stone.
- 8.7 There is reasonable evidence to demonstrate that the proposed quarry extension is required in order to maintain a supply of minerals suitable for producing dimensional or cladding stone. The estimated operational life of the proposed extension area is significant at 50-years but that must be considered in the context of the overall anticipated extraction (375,000 tonnes) and the proposed annual output (8,000 tonnes per year). The overall extent of the quarry and the proposed annual output is very limited in relation to other working quarries in the area. For example, the Ethiebeaton and Ardownie quarries had reserves of 15.9 million tonnes at time of consent with an estimated annual output of 495,000 tonnes per annum.
- 8.8 The nature of quarries and the mineral industry is such that considerable advance planning and preparation is required before extraction can commence at a new quarry or at a quarry extension and it is not possible to 'top-up' the land bank on an annual basis. The current proposal would provide a significant land bank but it would ensure continuity of supply to the market from an existing quarry location, at a similar rate of extraction while making good use of infrastructure associated with the existing operation. The grant of the permission allows the mineral resource at this location to be safeguarded.

Impact on Built Environment

- 8.9 The application site is not designated for any built heritage reasons. Historic Environment Scotland (HES) has been consulted on the proposal and is content that it would not have significant impacts on scheduled monuments and their setting, category A-listed buildings and their setting, and gardens and designed landscapes (GDLs) and battlefields in their respective inventories. There are listed buildings and historic environmental interests in the wider area but given the nature of those interests and the separation distances, the proposed development would not give rise to any significant impacts on the setting of those features.
- 8.10 In relation to archaeological interests the existing quarry is identified as an archaeological area given its historic use in association with mineral extraction. Conditions attached to the previous permissions for reworking of the historic quarry require its restoration. However, given the potential for previously unrecorded archaeology to survive within the proposed development site an archaeological written scheme of investigation has been submitted which identifies a scheme of mitigation works to be implemented should archaeological features be identified. The

council's archaeological advisor has reviewed this information and is satisfied with the mitigation proposed but has requested a condition to ensure the completion of the archaeological works. Overall, the proposal would not give rise to any unacceptable impacts on built heritage interests subject to the proposed planning conditions.

Impact on Natural Environment

- 8.11 The application site is not designated for any natural heritage reasons and there are no sites designated for natural heritage value directly affected by the development proposal. The EIA Report includes an assessment of ecological impacts. Surveys have been undertaken of habitats and species including bats, badger, otter, red squirrel, water vole, birds and other notable species. The EIA Report concludes that the development would not have significant impacts on any species subject to appropriate mitigation. The application site comprises the existing quarry excavation area and the proposed extension area which is predominantly cultivated agricultural land. The surveys have not identified any notable habitats or plant species but they recommend mitigation measures and biodiversity enhancements. NatureScot has reviewed the information submitted in support of the application and has offered no objection. On this basis and having regard to the physical characteristics of the site combined with the nature of the operations, the proposal is unlikely to give rise to significant adverse impacts on species or their habitats. The restoration proposals are likely to provide some improved habitat. The proposal does not give rise to any unacceptable impacts on the natural environment of the area.

Impact on Amenity

- 8.12 Development plan policy requires consideration of the impact of quarry operations on amenity. Planning Advice Note (PAN) 50 and Annexes A to D thereof provide an indication of good practice in relation to controlling the environmental effects of surface mineral workings. The annexes provide specific guidance regarding noise, dust, traffic and the submitted EIA Report considers the potential impact of the development on nearby properties in relation to those matters.
- 8.13 The proposal involves restoration of the existing quarry void and an extension of the quarry on land to the north and both operations have potential to impact on amenity.
- 8.14 The existing quarry is subject of conditions that require its restoration and some restoration has been undertaken in the southeast of the quarry; that is the area closest to residential properties at that location. The applicant has indicated that tree planting will be undertaken on the restored ground in the current planting season. Further restoration, including reprofiling of ground levels would be required within the wider quarry void irrespective of the outcome of the current planning application. However, the applicant has suggested that there is potential to utilise materials from the proposed quarry extension to complete restoration of the existing void.
- 8.15 PAN 50 identifies control measures that should be employed to minimise impacts associated with quarry works, including restoration activities. Impacts associated with restoration of the existing quarry void is considered in the EIA Report and no unacceptable impacts are identified subject to appropriate mitigation. The council's Environmental Health Service has indicated that restoration activities can be undertaken in a manner that would be compliant with PAN 50 guidance, including noise limits and has suggested planning conditions to deal with that matter. In addition conditions are proposed to clarify that no material other than soils should be imported to facilitate restoration of the site, and to require soils from phase 1 of the proposed quarry extension to be utilised in the restoration of the existing void in order to reduce the need for importation of soils from other locations.
- 8.16 The proposed quarry extension would involve similar activities to those undertaken in association with the existing operations within the existing quarry. Similar machinery

would be used to extract the stone and the annual extraction rate proposed would be the same as that associated with the existing operation. It is relevant to note that the stone is extracted using an excavator and that no blasting is required. The proposed quarry operation would not increase traffic movement in the area and could reasonably be anticipated to give rise to similar impacts as the existing operation. The proposal involves formation of 3m high bunds on the eastern and northern boundaries of the quarry extension in order to provide screening of activities. The closest houses to the proposed quarry extension are Denfind Farm cottages. Those cottages are in the ownership of the applicant with the closest being in the region of 45m from the proposed operational area of the quarry. Other nearby houses have garden boundaries at least 55m from the proposed bund and the closest house would be in the region of 100m from the extended quarry working area.

- 8.17 The EIA Report has considered impact of noise on the closest residential properties and at the proposed tourism accommodation site to the north. It has also considered impacts arising from site traffic and cumulative noise impact. The assessment covered normal operations and periods of short-term noisy operations. Overall, the EIA Report considers that the proposed site operations meet best practice as detailed in PAN 50 Annex A and that the proposed noise control measures along with effective day to day management would ensure the proposed development could be undertaken without significant noise impacts. The Environmental Health Service has reviewed the detailed noise impact assessment contained in the EIA Report and is satisfied that it has been carried out following guidance set out in PAN 50. The Environmental Health Service has indicated that the predicted noise levels at all (existing and proposed) nearby properties would be below appropriate limits identified by PAN 50 guidance. On that basis the Service is satisfied that the proposed development could be undertaken in a manner that would not give rise to unacceptable impacts on the amenity of occupants of nearby property by virtue of noise emissions. Conditions are proposed that set noise limits at nearby properties, and that require the provision of a noise management plan and a scheme for the monitoring of noise from the development.
- 8.18 The EIA Report provides an assessment of dust and air quality based on an evaluation of existing conditions, the identification of potential dust sources, likely impacts on sensitive receptors and mitigation measures. It concludes that it is unlikely there would be any significant reduction in air quality if effective mitigation was employed. It also indicates that there would be no significant impacts in relation to relevant Air Quality Objective thresholds for fine and coarse particulate matter. The Environmental Health Service has reviewed the air quality information contained within the EIA Report and is satisfied that it has been undertaken in accordance with recognised guidance. The applicant has submitted a dust management strategy that identifies measures to prevent unacceptable impacts arising from dust emissions. The Environmental Health Service has reviewed the dust management strategy and is satisfied that the proposed mitigation measures should ensure that the proposed development could be undertaken in a manner that would not give rise to unacceptable impacts on occupants of nearby dust sensitive property by virtue of dust emissions. The Environmental Health Service has recommended a condition requiring the development to be undertaken in accordance with the submitted dust management plan.
- 8.19 The EIA Report has also considered light pollution and indicates that no nighttime working is proposed and that artificial lighting would only be required during early morning and early evening periods in winter. The utilisation of lighting in the proposed extension area and haul road would be limited to vehicle lighting only with most of those operations being undertaken below ground level and benefitting from perimeter screening.
- 8.20 There are other existing land uses in the surrounding area including agriculture, forestry, a recreational park and a public hall. There is a planning permission that

provides for the formation of tourist accommodation within the woodland plantation to the north of the proposed quarry extension site, and there is a planning permission for the erection of a new house on Panmure Road to the east of the site. Those existing and proposed uses have been considered in assessing this proposal and there is no evidence to suggest that they would be unacceptably affected by emissions from the proposed development. A planning condition is proposed that provides a noise limit for quarry operations at the proposed tourist accommodation.

- 8.21 The EIA Report indicates that operations at the site could be undertaken in a manner that would avoid unacceptable impact on amenity. Relevant consultees have raised no objection to the proposal and have suggested planning conditions that would minimise impacts on the amenity of the area and those who live in and visit it. Available evidence suggests that the quarry extension could operate without giving rise to unacceptable amenity impacts subject to the proposed planning conditions.

Landscape and Visual Impact

- 8.22 Development plan policy requires consideration of landscape and visual impact. Policy indicates that the capacity to accept new development in the landscape will be considered within the context of the Tayside Landscape Character Assessment (TLCA) and relevant landscape capacity studies, formal designations and special landscape areas. Development which has an adverse impact on landscape will only be permitted where the site selected is capable of accommodating the proposed development, the siting and design integrate with the landscape context and minimise adverse impacts on local landscape, cumulative impacts are not unacceptable and mitigation measures and/or reinstatement are appropriate. SPP confirms that landscape and visual impact is a material consideration in the determination of planning applications for mineral working.
- 8.23 The application site is not located within an area designated as being of particular landscape value or sensitivity and the main issue is whether the development can be accommodated in the existing landscape and whether associated visual impacts are acceptable. The TLCA identifies that the application site falls within a landscape type described as Dipslope Farmland. This landscape character type is generally defined as gently sloping land which is typically open with patches of woodland and whose major land use is agriculture. In terms of guidance the TLCA suggests that demand for mineral working should be monitored and schemes that come forward should be restoration-led and located to minimise landscape impacts during operation.
- 8.24 The EIA Report includes a landscape and visual assessment of the proposals to evaluate the predicted landscape and visual impacts and identify mitigation measures which could be incorporated into the development in order to reduce such impacts. The EIA Report advises that the proposal would have direct impacts on the Dipslope Farmland as the landform itself would be permanently altered by the quarry activities. However, it is suggested that the impact would be localised in the context of the wider landscape and the overall effect would not be significant. It indicates that hard rock extraction is an established land use within the landscape type and the area but there are not considered to be any significant cumulative impacts. The EIA Report concludes that while the landform would be altered, following restoration the site would have minimal adverse impacts on the surrounding landscape.
- 8.25 The proposal provides for restoration of the existing quarry workings. That area of land would be restored to provide an undulating landform more reflective of the surrounding area. The change in landform and the removal of the very apparent quarry workings would result in direct alteration to the landscape. The quarry ponds would be retained, and an undulating landform comprising a mix of gentle and steep slopes not untypical of those found in the vicinity of Pitairlie Den would be formed. The restoration would be a positive landscape change.

- 8.26 The quarry extension itself would result in direct physical alteration to the landform through the excavation of material and resultant lowering of ground levels within the application site as well as a change to the use of areas of land from arable land to quarry workings. In that respect the landscape change would be reasonably significant and adverse. However, the phased nature of the proposed extraction means that only comparatively small areas of the overall site would be worked at any one time. While the landscape change would be notable in the vicinity of the site, it would generally be less apparent at any significant distance due to its discrete location. The applicant has proposed phased working and progressive restoration and that would assist in mitigating landscape impact. Adverse landscape impacts are generally unavoidable in association with mineral extraction proposals but the landscape impacts in this case are not considered to be unacceptable. Detailed matters regarding the restoration proposals are discussed below.
- 8.27 In relation to visual impacts, the EIA Report indicates that these are assessed in relation to viewpoints which were identified as being representative of visual receptors in the area. Photomontages are provided from those locations. The EIA Report suggests that visual impacts are anticipated to be slight to moderate during the working life of the quarry extension. It is suggested that impacts would reduce to negligible at final restoration.
- 8.28 Restoration of the existing quarry void and the associated planting would have visual impact, particularly during earth moving activity and following final restoration. There are houses in the vicinity of that quarry and while views towards it are filtered by existing tree cover, occupants of the houses are likely to experience some visual impact during the restoration process. However, restoration of that area is required in association with existing planning permissions and ultimately it would result in improvement of visual amenity around those houses. The existing quarry void is reasonably well screened from surrounding public areas therefore wider benefits would be limited but the restoration would generally improve visual amenity.
- 8.29 The most direct visual impacts arising from the proposed quarry extension would be on the closest residential properties and those taking recreational access in the surrounding area. Given the nature of the site and its location relative to surrounding buildings and woodland, it is reasonably well screened from the closest public roads. It is also reasonably well screened from Monikie Country Park although small sections can be glimpsed from the elevated reservoir walls. Existing plantation woodland to the north would largely obscure views of the site from the proposed tourist facility. As an extension to the existing quarry the existing site access and processing area would be utilised so there would be no additional visual impacts arising from these features.
- 8.30 There are several residential properties to the east and southeast of the extension area. The proposal provides for a buffer of between 45m and 100m between the proposed workings and those houses. Activity associated with the proposed development would be visible to those that live in the vicinity. This would be most obvious at the early stages of operation in each phase before ground levels are lowered such that ongoing activities would benefit from screening. The proposal provides for the formation of 3m high bunds on the northern and eastern boundaries of the extended quarry area. Those bunds would help screen the extraction area from nearby houses, particularly once ground levels within the quarry are lowered. This, along with the phased working and progressive restoration would help reduce visual impacts associated with the proposed operations. The screening bunds themselves would be visible from nearby properties and their environs and would have some visual impact. The closest property to the east bund is in the control of the applicant and it is proposed to introduce woodland planting and an acoustic fence between the site and the west boundary of this property. The bunds would be around 60m – 70m from residential properties to the east and would be limited to around 3m in height. They would be present for the duration of the development and while they would

have an engineered appearance, they would not look entirely out of place in the context of the wider landscape which contains reservoir walls and embankments associated with dismantled railway lines. Overall, the quarry operations would have some adverse impact on the visual amenity of the closest residential properties, but those impacts would be acceptable subject to the mitigation measures proposed in the EIA Report and proposed planning conditions.

- 8.31 There are public roads in the vicinity of the site, including the B961 and Panmure Road. Those are reasonably busy routes that convey traffic into Monikie and around the general area. However, the site is reasonably well screened from those routes by existing landform, vegetation and buildings. While there would be some visual impact on users of those roads because of the development, particularly at the early stage of working when screen bunds would be formed, those impacts would not be significant. The visual impact on road users is not considered to be unacceptable.
- 8.32 Monikie Country Park is a valuable recreational resource and it contains a core path that runs around the southern reservoir. The core path is elevated in relation to surrounding land as it is located on top of the reservoir embankment. The path is around 300m from the proposed quarry extension area at its closest point. Filtered views of the proposed quarry extension area would be visible through trees and between buildings but at the distance involved visual impact would not be unacceptable, particularly as the main views from the path towards the Tay Estuary would be unaffected.

Impacts on the Water Environment

- 8.33 The EIA Report includes a hydrological and hydrogeological assessment and assesses the potential impacts that may be caused by the development proposals. The EIA Report and the supporting groundwater dewatering management plan provide detailed measures to mitigate impacts of the development on the water environment. All fuelling and plant maintenance would be undertaken within the current dedicated area located adjacent to the processing yard, where appropriate controls are in place with respect to handling and storage. No fuels, oils or lubricants would be stored within the proposed quarry extension area. The EIA Report indicates that the overall impact of the development on surface water and groundwater is predicted to be localised and negligible.
- 8.34 SEPA has reviewed the proposal in relation to impacts on the water environment. It has reviewed the supporting Groundwater Dewatering Management Plan that was submitted to address initial concerns and has advised it has no objection to the proposal subject to a condition requiring approval of a revised water/dewatering management plan. The proposal does not give rise to any significant adverse impact on the water environment.

Impacts on Resources and Infrastructure

- 8.35 Published maps indicate that the site of the proposed quarry extension occupies a mix of prime (class 3.1) and non-prime (class 3.2) agricultural land. Council policy allows use of prime land for mineral developments recognising that minerals can only be worked where they are found. There is no evidence to suggest that the loss of agricultural land associated with this development would render any farm unit unviable.
- 8.36 Vehicular access and egress to the site is taken via the B961 public road. The EIA Report advises that all stone extracted from the quarry extension would be transported to the processing and stockpiling areas associated with the existing quarry operation using internal site roads. The existing permission pertaining to the quarry and the associated production facility limit output to 8,000 tonnes per annum and the same maximum level of output is proposed by this application. Accordingly,

no material increase in vehicle movement is anticipated on the public road network. The Roads Service has reviewed the proposal and has offered no objection. The development is unlikely to give rise to any significant impact on other infrastructure in the area.

Site Restoration and Aftercare

- 8.37 Development plan policy indicates proposals for mineral extraction will only be supported where proposals for land restoration, aftercare and after use are satisfactory including where necessary the provision of a bond to cover the cost of an agreed scheme for the restoration, aftercare and after-use of the site. SPP emphasises the need to achieve a high standard of restoration and aftercare and provide for after-uses which result in environmental improvement when mineral working has ceased. PAN 64 provides an indication of best practice in relation to the reclamation of surface mineral workings. It identifies that it is a key aim of government policy to ensure that land worked for minerals is reclaimed as soon as possible after working has ceased. Guidance is provided in terms of assessing reclamation proposals, potential after uses, reclamation process, consultation procedures, planning conditions, restoration and aftercare schemes and planning agreements.
- 8.38 Restoration and aftercare proposals are provided for the existing quarry void and for the proposed quarry extension. The proposals would generally use materials from the site to reprofile the landform and return areas to agricultural use. Steeper slopes would be planted with shrub/scrub and new woodland areas would be introduced. Existing water bodies in the southern quarry would be retained and a new pond would be formed within the restored quarry extension area. Native species would be used in the replanting to improve biodiversity. It is indicated that the site would be restored progressively with soils from the advance stripping of a future phase being utilised to restore previously worked land. The EIA Report indicates that following restoration an aftercare scheme would be implemented for a 5-year period.
- 8.39 Overall, it is considered that the restoration proposals would be in keeping with the landscape character of the area. A condition is proposed that would require approval of the detail and provision of the access path across the southern site. A condition is also proposed that would require a bond or other financial guarantee to ensure restoration of the quarry in accordance with the restoration details.
- 8.40 The proposal is compliant with development plan policy subject to the mitigation measures identified in the EIA Report and detailed in the proposed planning conditions.

Material Considerations

- 8.41 In relation to material considerations it is relevant to have regard to the planning matters that have been raised in letters of representation. The substantive issues raised in those letters have been discussed above in relation to relevant policy.
- 8.42 Concerns raised by those that live in the vicinity of the site regarding impact on amenity are understandable and the development will have some impact on the amenity of the area. However, the relevant planning consideration is whether impacts can be controlled such that they do not exceed recognised limits and give rise to unacceptable impacts. In this case the EIA Report indicates that impacts can be managed such that they are not unacceptable. The Environmental Health Service has assessed the information submitted in support of the application and reviewed the matters raised in objection. It has suggested conditions to deal with noise and dust, including requirements for ongoing monitoring. The proposed method of extraction does not involve blasting and stone would be extracted using an excavator. In these circumstances it is reasonable to conclude that impacts arising

from the development would not be unacceptable subject to compliance with the proposed planning conditions.

- 8.43 There is no evidence to suggest that the development would have an adverse impact on health of those that live in the area. Objections make reference to risk associated with Respirable Crystalline Silica dust. No evidence to support that concern has been provided and all information provided in support of the proposal suggests that risks are minimal. It is relevant to note that information published by HSE states that *'Silicosis is a disease that has only been seen in workers from industries where there is a significant exposure to silica dust, such as in quarries, foundries, the potteries etc. No cases of silicosis have been documented among members of the general public in Great Britain, indicating that environmental exposures to silica dust are not sufficiently high to cause this occupational disease.'*
- 8.44 The impact of the proposed development on the wider area has been considered in the preparation of this report. There is no evidence to suggest that the proposal would give rise to significant or unacceptable impacts on other existing land uses, including Monikie Country Park. A planning permission has been granted for a tourist development consisting of 20 "Wigwam" style holiday cabins at Denfind Plantation to the north of the application site and conditions are proposed to limit noise levels associated with this development at that location. Committee may wish to note that the neighbouring landowner to the north (the owner of the land subject to the tourist development permission) has submitted comments in support of the application.
- 8.45 The proposal would result in landscape change and give rise to visual impacts but for the reasons set out above those are not considered to be unacceptable subject to the proposed mitigation. This is a working rural landscape where activity and manmade change is not uncommon. The proposed development site is reasonably discrete and mitigation measures should minimise the impacts on the character of the area.
- 8.46 There may be different methods of phasing or working the quarry but all available information indicates that the proposal subject of this application is capable of complying with relevant amenity and environmental standards. In these circumstances there is no reasonable justification to require the applicant to consider or investigate revised proposals. The permission would allow operations to take place for a significant period of time but as discussed above it must be recognised that the proposed rate of extraction is low and there is merit in providing the business with certainty regarding continuity of supply in circumstances where the investment required to progress is significant. It also ensures that the mineral resource is safeguarded.
- 8.47 Issues regarding the financial viability of the development are matters for the applicant. A proposed condition requires provision of a bond to allow restoration of the site.
- 8.48 The Roads Service has confirmed that it has no objection to the proposal in terms of road traffic or pedestrian safety and the existing site access/egress would be used. Extraction rates from the quarry extension would be no greater than existing extraction rates from the quarry and associated vehicle movements on the road network are not predicted to increase.
- 8.49 The EIA Report has considered the potential impact of the development on wildlife and habitats and no unacceptable impacts have been identified. NatureScot has been consulted on the application and has raised no concern. The site is not designated for any natural heritage reasons and there is no evidence to suggest that the proposed development would give rise to significant or unacceptable impacts on wildlife or habitats.
- 8.50 The existing quarry provides direct employment for around 15 people. Pitairlie Quarry

has depleting reserves with around 2 years remaining and the applicant has indicated that this development would allow the continuation of employment from this site and would minimise the importation of aggregates from outwith the area. The economic benefits associated with the proposal are a material consideration and merit considerable weight in circumstances where environmental, infrastructure and amenity impacts are not unacceptable.

- 8.51 The letters in support of the proposal are noted and the general matters raised have been addressed in the assessment of the application. The generality of the comments support the conclusion that there is a need for the material produced by the quarry and there is merit in providing locally sourced natural material to reduce transportation mileage to the local market. The comments support the conclusion that the proposal is compatible with development plan policy.

Waste Management Plan

- 8.52 Regulations require applications for developments that include extractive waste to be accompanied by a Waste Management Plan (WMP). The EIA Report indicates that the extractive waste from the proposed operations will comprise soils, overburden, predominantly unsuitable rock (shales, silts and mudstones) and waste rock from the cutting and processing of stone. All of the extractive wastes are to be managed on site and utilised in its reinstatement and no significant environmental impacts are anticipated in relation to extractive waste. The applicant has therefore requested a waiver of the requirement for a WMP as permitted by the Regulations. A review of this information has been undertaken as part of the consideration of the application. As the soils are to be either initially utilised to create screening mounds or placed within the quarry voids the requirements of the Regulations can be waived. The other waste materials meet the tests in the Regulations to be considered as non-waste by product materials and consequently fall outwith the scope of the Regulations. It is therefore concluded that the requirement for a WMP at the site can be waived. The proposed planning conditions would ensure that extractive wastes generated at the site are managed appropriately.

Conclusion

- 8.53 In conclusion, any proposal for mineral extraction will give rise to environmental impacts and will have potential to impact on the amenity of the surrounding area. However, minerals can only be worked where they are found and the key considerations are compatibility with development plan policy, the significance of amenity and environmental impacts, and other relevant material considerations.
- 8.54 In this case there is an established quarry and processing facility at this location. The existing quarry has low reserves and this proposal provides for its restoration in an acceptable manner. There is evidence of a market requirement for sandstone that is not otherwise available within the local area and that could be met from the proposed quarry extension. The EIA Report and consultation responses indicate that, subject to appropriate mitigation and planning conditions, the proposed quarry extension should not give rise to unacceptable environmental or amenity impacts. The matters raised in representations, both in objection and support, have been considered in preparing this report and where appropriate matters are addressed by proposed planning conditions. The proposed conditions would ensure that the operation of the extension would not give rise to unacceptable impacts on the amenity of those that live in or visit the area. The proposal would provide for an extension to the existing quarry workings at Pitairlie and would utilise existing infrastructure at this location. It would provide continuity of supply to the market, certainty to the business, and economic benefit to the area in a manner that complies with the development plan.
- 8.55 The proposed development complies with relevant development plan policy subject to the proposed planning conditions. There are no material considerations that justify

refusal of the application.

9. OTHER MATTERS

HUMAN RIGHTS IMPLICATIONS

The recommendation in this report for grant of planning permission, subject to conditions, has potential implications for neighbours in terms of alleged interference with privacy, home or family life (Article 8) and peaceful enjoyment of their possessions (First Protocol, Article 1). For the reasons referred to elsewhere in this report justifying this recommendation in planning terms, it is considered that any actual or apprehended infringement of such Convention Rights, is justified. The conditions constitute a justified and proportional control of the use of the property in accordance with the general interest and have regard to the necessary balance of the applicant's freedom to enjoy his property against the public interest and the freedom of others to enjoy neighbouring property/home life/privacy without undue interference.

10. CONCLUSION

It is recommended that the application be approved for the following reason, and subject to the following condition(s):

Reason(s) for Approval:

The proposed development will provide for an extension to an existing mineral reserve and will assist in maintaining a land bank of minerals and continuity of supply to the market. The proposed development also provides for the restoration of the site in a manner that will allow for its integration into the surrounding landscape and ensure appropriate habitat creation. Environmental, amenity and infrastructure impacts associated with the proposed development are acceptable and can be appropriately mitigated subject to the stated planning conditions and by the mitigation measures identified in the Environmental Impact Assessment Report. The proposal complies with development plan policy subject to the stated planning conditions and there are no material considerations that justify refusal of the planning application contrary to the provisions of the development plan.

Conditions:

1. That extraction of minerals shall cease no later than 50 years from the date of commencement of development, and restoration of the site shall be completed within a period of 51 years from the date of commencement of development. The planning authority shall be notified in writing of the date of commencement of development not less than 5 working days prior to the date of commencement of development. The applicant shall obtain written confirmation from the Planning Authority that all site restoration works have been completed in accordance with the approved restoration scheme.

Reason: To ensure that the development is undertaken in accordance with the approved plans and the Environmental Impact Assessment Report.

2. That phased restoration of the southern quarry shall be undertaken in accordance with Figure SQREST/12/20. With the exception of areas retained for water management, restoration of the south quarry shall be completed prior to the commencement of Phase 2 quarry operations in the extension area. The applicant shall obtain written confirmation from the Planning Authority that all site restoration works associated with the south quarry have been completed in accordance with the approved restoration scheme prior to the commencement of any mineral extraction from Phase 2. Any residual restoration required in

association with areas retained for water management purposes shall be fully restored in accordance with the terms of condition 1 of this permission.

Reason: To ensure that restoration of the existing quarry is undertaken in accordance with the approved plans and the Environmental Impact Assessment Report.

3. That except as otherwise provided for and amended by the terms of this permission, the development shall be undertaken in accordance with the provisions of the Proposed Northern Extension to Pitairlie Quarry, Angus Environmental Impact Assessment Report by Dalgleish Associates Limited dated August 2020. Specifically, the development shall be undertaken in accordance with the mitigation identified in Chapter 11 of the Environmental Impact Assessment Report.

Reason: To ensure that the development is undertaken in accordance with the Environmental Impact Assessment Report in order to mitigate impact on the environment.

4. That except as otherwise provided for and amended by the terms of this permission, the development shall be undertaken in accordance with the provisions of the Pitairlie Quarry Dust Management Plan for Extraction, Haulage and Restoration Operations by Denfind Stone Ltd submitted on 27 October 2020. The dust management plan shall be fully implemented upon commencement of the development and remain in place for the duration of the development hereby approved and the dust monitoring results shall be made available to the Planning Authority upon request.

Reason: In order to mitigate, monitor and address impacts on air quality in the interests of the amenity of occupiers of nearby properties.

5. That from the commencement of development and thereafter for the duration of this permission, the quarry excavation shall be worked in accordance with the approved Pitairlie Quarry Development Plans Phases 1 to 3 (Figures 3.1 – 3.3 of the Environmental Impact Assessment Report) and the working programme and figures specified in the Environmental Impact Assessment Report. No extraction shall take place out with the defined phases.

Reason: In order to define the limits of extraction, the phasing of development and to ensure that the development is undertaken in accordance with the Environmental Impact Assessment Report in order to mitigate impact on the environment.

6. That the annual rate of output from the quarry area as measured in any 12-month period shall be no more than 8,000 tonnes per annum. The Planning Authority shall be provided in writing, details of annual output/ production at no more than 12 monthly intervals from the date of commencement of extraction.

Reason: In order to ensure that the development is undertaken in accordance with the assessments against which it has been determined in the interest of the environment and to monitor the annual rate of extraction.

7. That no development in connection with the planning permission hereby approved shall take place until the following details have been submitted to and approved in writing by the Planning Authority: -

- (a) Details of a bond or other financial provision to cover all site restoration costs. This shall include provision for the regular review of the bond value. No work shall commence on the site until the developer has provided

documentary evidence that the proposed bond or other financial provision is in place and written confirmation has been given by the Planning Authority that the proposed bond or other financial provision is satisfactory. The developer shall ensure that the approved bond or other approved financial provision is in place throughout the operational life of the development hereby approved;

- (b) A revised water/dewatering management plan that shall be subject of consultation with SEPA. The submitted plan shall also include amended calculations of the 'dewatering flow rate' (dewatering volumes). Thereafter all work shall be carried out in accordance with the approved water/dewatering management plan;
- (c) A noise management strategy, incorporating measures outlined in PAN 50 Annex A: The Control of Noise at Surface Mineral Workings and noise mitigation measures indicated in the Environmental Impact Assessment Report. The noise management strategy shall also include: -
- Detailed phasing for the provision of the earth bunds, off-site planting and acoustic fencing (including specification for the planting and fencing);
 - Measures to minimise noise arising from civil engineering works including drainage works, haulage route construction, bund formation and site restoration works;
 - A noise monitoring scheme and complaint investigation procedure; and
 - Provision for the regular review of the effectiveness of noise mitigation measures and updating of the management strategy to reflect best practice.

Thereafter the approved noise management strategy shall be fully implemented upon commencement of the development and remain in place for the duration of the development hereby approved and the noise monitoring results shall be made available to the Planning Authority upon request;

- (d) A scheme for liaison and the exchange of information with local residents and businesses. No work shall commence on the site until the developer has provided documentary evidence that the proposed liaison scheme is in place and written confirmation has been given by the Planning Authority that the scheme is satisfactory. The developer shall ensure that the approved liaison scheme is maintained throughout the duration of this permission;
- (e) A soils handling scheme. The soils handling scheme shall contain a detailed strategy for the handling and management of soils during the development and associated restoration. All soil stripping, handling and storage shall be carried out in accordance with the approved soils handling scheme;
- (f) Details of all proposed boundary enclosures;
- (g) An archaeological written scheme of investigation (WSI) and a programme of archaeological works in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied unless a post-excavation research design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and

approved in writing by the planning authority. The PERD shall be carried out in complete accordance with the approved details;

- (h) Details of the proposed access path in the restored southern quarry area; including details of its construction specification; enclosures to be incorporated adjacent to the path; signage to be provided to warn path users of quarry activities; and a timescale for the provision of the path.

Reason: In order that the planning authority may verify the acceptability of the specified details in the interests of amenity, restoration of the site and environmental protection.

8. That activities associated with the development hereby approved shall be restricted to: -

- 0800 – 1700hrs Monday to Friday for soils stripping, mound formation and overburden excavation, haulage and placement;
- 0730 – 1800hrs Monday to Friday and 0730 – 1300 on Saturdays for the extraction and haulage of sandstone; and
- There shall be no work on Sundays or public holidays.

Reason: In order to control the hours of operation and minimise the impact of site activity in the interests of safeguarding the amenity of occupants of nearby property.

9. That noise from any activity within the site, excluding temporary works covered by condition 10 of this permission, shall not exceed 45dB LAeq (1Hr) when measured at a height of 1.2m above ground level in free field conditions, at the boundary of the curtilage of residential properties not in the same ownership as Denfind Stone, or at the proposed camping cabins in Denfind Plantation. For residential properties under the same ownership as Denfind Stone, noise shall not exceed 55dB LAeq (1Hr) at the boundary of the curtilage.

Reason: In order to control site activity generated noise to an acceptable level in the interests of safeguarding the amenity of occupants of nearby property.

10. That noise from temporary works including drainage works, haul route construction, soils removal, bund construction and removal and overburden excavation and placement shall not exceed 62dB LAeq (1Hr) when measured at a height of 1.2m above ground level in free field conditions, at the boundary of the curtilage of any residential property, or at the proposed camping cabins in Denfind Plantation. The temporary works referred to shall be limited to a period of 4 weeks in any 12-month period and a record of the times and dates of such operations shall be kept by the site operator and shall be made available to the Planning Authority upon request.

Reason: In order to control noise and activity associated with necessary temporary engineering works to an acceptable level in the interests of safeguarding the amenity of occupants of nearby property.

11. That no crushing or screening of excavated minerals shall be undertaken within the application site.

Reason: In order to clarify the terms of this planning permission and to ensure that the impacts remain within the terms under which the application has been considered in the interests of safeguarding the amenity of nearby occupied premises.

12. That all reversing alarms fitted to vehicles or mobile plant operating within the application site shall be of either a broadband sound or non-audible type.

Reason: In order that the amenity of nearby occupied premises shall be adequately safeguarded.

13. Except as otherwise provided for and amended by the terms of this permission, restoration and long-term aftercare shall be carried out in accordance with the details set out in Section 4 of the Environmental Impact Assessment Report. The phased restoration of the southern quarry shall be undertaken in accordance with Figure SQREST/12/20 and all soils stripped from Phase 1 of the northern quarry excavation area shall be utilised for the restoration of the southern quarry.

Reason: To ensure the satisfactory restoration and aftercare of the site in accordance with the Environmental Impact Assessment Report.

14. That other than soils necessary for the reinstatement of the southern quarry area, no materials shall be imported to the site. The importation of soils shall be limited to a maximum of 7,000 cubic metres. Records of soil importation shall be kept by the site operator and shall be made available to the Planning Authority upon request.

Reason: In order to clarify the terms of this permission.

15. That before the date falling 12-months after the date of commencement of development and thereafter at 12-monthly intervals, the operator shall submit a quarry progress plan for the written approval of the Planning Authority. Each quarry progress plan shall: -

- (a) Provide an up-to-date survey drawing illustrating the progress of quarrying operations;
- (b) Identify the current location of extraction areas;
- (c) Identify the size of the quarry extraction area, areas of completed soil stripping and replacement works;
- (d) Identify the extent of restored land and implemented landscaping works; and
- (e) Identify the projected operations and restoration during the forthcoming 12-month period.

Reason: To assist the planning authority in monitoring the development and to retain effective control over quarry operations.

16. Before 30 June in each year during the aftercare period (defined as the 5-year period following the issue of written confirmation by the Planning Authority that restoration has been satisfactorily completed), a written report of (i) the aftercare operations carried out during the preceding year (or part year), and (ii) the aftercare operations intended to be carried out during the following year (or part year) shall be submitted to the Planning Authority.

Reason: To ensure effective monitoring of the aftercare of the site.

17. For the duration of the aftercare scheme, the operator shall replace all trees and shrubs planted since completion of restoration and landscaping that are damaged or diseased, or that have not survived or have been removed, with a similar number of trees or plants of the same or suitable alternative species within the first available planting season following the identification of their being in such a condition, or having been removed.

Reason: In the interests of visual amenity, effective landscape management and habitat creation and to ensure adequate measures are put in place to protect the landscaping and planting in the long term.

18. Should the extraction of rock from the site cease for a period in excess of 12-months, the extraction shall be deemed to have ceased. The Planning Authority shall be notified in writing within 1-month of the date of cessation of mineral extraction. An updated scheme for the restoration of the worked area and associated aftercare programme that shall reflect the objectives of the restoration described by Section 4 of the Environmental Impact Assessment Report shall be submitted for the written approval of the Planning Authority within 2-months of the effective cessation of quarrying operations. The updated scheme of restoration and associated aftercare programme shall be implemented as approved within a year of the aforementioned unscheduled cessation of extraction.

Reason: To ensure adequate measures are put in place to secure the restoration of the quarry should its operation cease prematurely in the interests of amenity and environmental quality.

NOTE: No background papers, as defined by Section 50D of the Local Government (Scotland) Act 1973, (other than any containing confidential or exempt information) were relied on to any material extent in preparing the above Report.

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DATE: 07 DECEMBER 2020

APPENDIX 1: LOCATION PLAN
APPENDIX 2: EIA REPORT NON-TECHNICAL SUMMARY
APPENDIX 3: SUMMARY OF APPLICANTS SUPPORTING INFORMATION
APPENDIX 4: LETTERS OF REPRESENTATION
APPENDIX 5: DEVELOPMENT PLAN POLICIES
APPENDIX 6: PLANNING SERVICE PRESENTATION