

ANGUS COUNCIL

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT
TOWN AND COUNTRY PLANNING (GENERAL
DEVELOPMENT) (SCOTLAND) ORDERSMINERAL PERMISSION APPROVAL
Ref: 03/00691/MIN

To Aggregate Industries UK Ltd
c/o G R Jones Estates Surveyor
Scotland Aggregate Industries UK Ltd
Central Belt & Borders Area Office
Duntilland Quarry
SALSBURGH
Lanarkshire
ML7 4NZ

With reference to your application dated 10 June 2003 for planning permission under the above mentioned Acts and Order for the following development, viz.:-

Sand and Gravel Extraction including Change of Use of Blindwells Cottage from House to Quarry Office, Canteen and Toilet Block, Restoration to Facilitate a Fishing Lochan, Associated Wetlands and Reprofiling of Farmland at Land At Powmyre Farm Kirriemuir Angus DD8 1QQ for Aggregate Industries UK Ltd

The Angus Council in exercise of their powers under the above mentioned Acts and Orders hereby **Grant Planning Permission** for the said development in accordance with the plans docketed as relative hereto and particulars given in the application, **subject however to the following conditions, namely:-**

- 1 That the development hereby permitted shall be begun before the expiration of five years from the date of this permission.
- 2 That extraction of aggregates shall cease within 15 years of the date of entry or such other period as may be agreed in writing with the planning authority. Thereafter all plant and buildings to which the permission relates shall be removed and the site fully restored within 15 years from the aforementioned date unless otherwise agreed in writing with the planning authority. The date of entry to be confirmed in writing to the Director of Planning and Transport no later than 7 days post the commencement of quarrying operations.
- 3 That the definitive figures and figure numbers referred to in this permission shall be taken as those contained in the Powmyre Farm, Strathmore Estate, Glamis Planning Application and Environmental Statement and Regulation 19 Addendum submitted by Aggregate Industries UK Ltd or as otherwise specified in this permission.
- 4 That unless as may otherwise be agreed in writing by the Director of Planning and Transportation, from the commencement of quarrying and thereafter for the duration of this permission, the quarry shall be worked in accordance with the phasing plans 4810-4-02:14 and the working programme and figures specified in the approved application and Powmyre Farm, Strathmore Estate, Glamis Planning Application and Environmental Statement and Regulation 19 Addendum. No extraction shall take place out with the defined phases.
- 5 That the annual rate of extraction as measured in any 12 month period should be no more than 300,000 tonnes per annum unless otherwise agreed in writing with the Director of Planning and Transport. Records of annual output shall be kept by the applicant and submitted to the planning authority on 1 April each year.
- 6 That the hours of operation of plant and equipment associated with the extraction processing and transport of sand and gravel shall be restricted to Monday to Friday 7.30am to 5.30pm and 8.00am to 1.00pm on Saturdays with no working on Sundays or public holidays.
- 7 That Blindwells shall not be occupied as a dwellinghouse for the duration of mineral extraction operations at the site.
- 8 That subject to Condition 9 below, noise from all plant, machinery and operations associated

with the development shall not exceed the following levels at the specified locations: -

Powmyre	45dBA LAeq (1 hour)
Drumshade	46 dBA LAeq (1 hour)
Dairsie	45 dBA LAeq (1 hour)
Greenbank Cottage	45 dBA LAeq (1 hour)
Greenbank Farm	45 dBA LAeq (1 hour)
Mossend	48 dBA LAeq (1 hour)

- 9 That during overburden removal and screening bund construction operations, the noise generated by the site shall not result in the noise level at the locations specified in Condition 8 above exceeding 70 dBA LAeq (1 hour). The aforementioned activities shall be limited to a period of eight weeks in any 12 month period.
- 10 That prior to the commencement of development a noise management strategy, incorporating measures outlined in PAN 50 Annex A and noise mitigation measures indicated in the Powmyre Farm, Strathmore Estate, Glamis Planning Application and Environmental Statement and Regulation 19 Addendum, shall be submitted for the written approval of the Director of Planning and Transport. The approved strategy shall be fully implemented upon commencement of operations.
- 11 That at a time to be agreed in writing with the Director of Planning and Transport, and prior to the commencement of operations within phase nine, the operator shall submit an acoustics report prepared by a qualified consultant specifying the stand-off distance from the operations to the steading of Powmyre Farm. The stand-off distance is to be agreed in writing with the Director of Planning and Transport and implemented during the operations within phases nine, ten and eleven.
- 12 That prior to the commencement of development a scheme for the monitoring of noise shall be submitted for the written approval of the Director of Planning and Transport. The approved scheme to be fully implemented upon commencement of operations and the results made available to the planning authority upon request.
- 13 That prior to the commencement of development a dust management strategy, incorporating measures outlined in PAN 50 Annex A and dust mitigation measures indicated in the Powmyre Farm, Strathmore Estate, Glamis Planning Application and Environmental Statement and Regulation 19 Addendum, shall be submitted for the written approval of the Director of Planning and Transport. The approved strategy shall be fully implemented upon commencement of operations.
- 14 That prior to the commencement of development a scheme for the monitoring of dust shall be submitted for the written approval of the Director of Planning and Transport. The approved scheme to be fully implemented upon commencement of operations and the results made available to the planning authority upon request.
- 15 That no commercial vehicles shall enter the public road unless their wheels and chassis have been cleaned to prevent material being deposited on to the road.
- 16 That all loaded vehicles leaving the site carrying materials of under 75mm size shall require to be sheeted.
- 17 That prior to the extraction of any material from phases 8, 9, 10 and 11 the applicant shall submit proof of agreement with Transco and the Health and Safety Executive of a stand-off area for the gas pipeline for the written approval of the Director of Planning and Transport. The approved stand-off shall be implemented.
- 18 That the topsoils and subsoils to be excavated from the extraction areas must be stored on site as described in the Powmyre Farm, Strathmore Estate, Glamis Planning Application and Environmental Statement and Regulation 19 Addendum and retained for the eventual reuse as part of the progressive restoration works. At no time shall these soils be removed from the application site.
- 19 The developer shall secure the implementation of an archaeological watching brief, to be carried out by an archaeological organisation acceptable to the planning authority, during the development work. The retained archaeological organisation shall be afforded access at all reasonable times and allowed to record and recover items of interest and finds. The name of the archaeological organisation retained by the developer shall be given to the Director of Planning and Transport in writing not less than 14 days before development commences.
- 20 That the peripheral margins along the boundaries of the quarry shall be landscaped in accordance with a scheme which shall be submitted and approved in writing by the Director of Planning and Transport prior to the commencement of extraction. The scheme shall

- indicate the siting, numbers, species and heights (at the time of planting) of all trees, shrubs and hedges to be planted and shall ensure the completion of the scheme within the next available planting season. The maintenance of the landscaped areas for a period of five years or until established, whichever may be the longer. Any trees or shrubs removed, or which in the opinion of the Director of Planning and Transport are dying, being severely damaged or becoming seriously diseased within three years of planting, shall be replaced by trees or shrubs of similar size and species to those originally required to be planted.
- 21 That prior to the commencement of operations within phase eight, the applicant shall instruct the careful survey by a suitably qualified person for red squirrel within the tree-belt prior to its removal. A report of the aforementioned survey shall be submitted to the Director of Planning and Transport and suitable mitigations measures adopted if deemed appropriate in agreement with the Planning Authority in consultation with Scottish Natural Heritage.
 - 22 That any chemical, oil or diesel storage tanks installed within the application site shall be sited on impervious bases and surrounded by impervious bunded walls and the bunded areas shall be capable of containing 110% of the tank volume and should enclose all fill and draw pipes.
 - 23 That the scheme of restoration shall be in accordance with the details indicated in the concept restoration plan (Dwg No. 4810-10-16) and within 6 months of the completed extraction of sand and gravel within each phase, full details of the restoration and aftercare provisions shall be submitted in writing for the approval of the Director of Planning and Transport.
 - 24 That no rubbish or other waste materials shall be burned on site at any time, and the operator shall be responsible for immediately extinguishing any sporadic burning which may occur.
 - 25 That notwithstanding the terms of this planning permission and the provisions of the Town and Country Planning (General Permitted Development)(Scotland) Order 1992, details of the siting, design and external appearance of all buildings, structures and permanent plant shall be submitted for the prior approval of the Director of Planning and Transport.
 - 26 That development shall not commence on site prior to approval by the planning authority of all details relating to the means of access to and egress from the development.

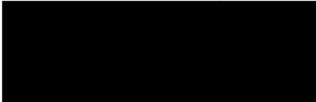
The foregoing conditions are imposed by the Council for the following reasons :-

- 1 In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.
- 2 In order to comply with the requirements of the Town and Country Planning (Scotland) Act 1997.
- 3 For the avoidance of doubt and in order to readily identify the approved figures.
- 4 In order to define the limits of extraction and the phasing of development.
- 5 In order to safeguard the amenity of neighbouring occupied premises and to monitor the annual rate of extraction.
- 6 In order that the amenity of nearby occupied premises shall be adequately safeguarded.
- 7 In order to clarify the terms of this planning permission in the interests of residential amenity.
- 8 In order that the amenity of nearby occupied premises shall be adequately safeguarded in accordance with PAN50.
- 9 In order that the amenity of nearby occupied premises shall be adequately safeguarded in accordance with PAN50.
- 10 In order that the planning authority may verify the acceptability of proposed mitigation measures and to ensure that the amenity of nearby occupied premises shall be adequately safeguarded.
- 11 In order that the planning authority may verify the acceptability of the proposed stand-off in the interests of residential amenity.
- 12 In order that the planning authority may verify that acceptable measures are in place to monitor noise emissions from the operations.
- 13 In order that the planning authority may verify the acceptability of proposed mitigation measures and to ensure that the amenity of nearby occupied premises shall be adequately safeguarded.
- 14 In order that the planning authority may verify that acceptable measures are in place to monitor dust emissions from the operations.
- 15 In order to prevent the deposition of waste materials on the public roads in the interests of

- road safety.
- 16 In order to avoid spillage of material on the public road in the interests of road safety.
 - 17 In order that the planning authority may ensure that adequate provision is made for the safeguarding of the gas pipeline.
 - 18 In order to ensure that any soils removed to allow the extraction of aggregate are retained for use in the restoration of the site.
 - 19 In order to ensure the recording of any unknown archaeological features.
 - 20 In order that the planning authority may verify the acceptability of the proposed landscaping proposals and to ensure subsequent maintenance.
 - 21 In order to verify the results of existing survey work and to minimise risk to protected species in compliance with the requirements of wildlife legislation.
 - 22 In order to minimise risk of pollution of any water or soil resources.
 - 23 In order to ensure the appropriate restoration and aftercare of the site.
 - 24 In the interests of the amenity of the area and of adjacent residents.
 - 25 In order that the planning authority may verify the acceptability of proposals in the interests of the amenity of the area.
 - 26 To ensure that all such details relating to the proposed development are approved by the planning authority prior to commencement of the development in the interests of road safety and in order to safeguard the amenity of nearby residential properties.

It should be understood that this permission does not carry with it any necessary consent or approval to the proposed development under other statutory enactments e.g. the BUILDING (SCOTLAND) ACTS 1959 and 1970.

Dated this 8 February 2007



Head of Planning and Transport,
St James House
St James Road
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WARNING ANY ALTERATIONS MADE TO THE APPROVED PLANS OR STATED CONDITIONS WITHOUT THE PRIOR CONSENT OF THE LOCAL PLANNING AUTHORITY COULD LEAD TO ENFORCEMENT ACTION BEING TAKEN TO REMEDY OR REINSTATE THE UNAUTHORISED ALTERATIONS