

Report to: **Planning Committee**
 Date of Meeting: **29 November 2011**
 Report by: **Executive Director (Enterprise Resources)**

Application No EK/11/0213
 Planning Proposal: Installation of field conveyor to transport sand and gravel from Bankend Quarry to Snabe Quarry with processing at Snabe Quarry

1 Summary Application Information

- Application Type : Mineral Application
- Applicant : Tarmac Ltd
- Location : Land near Glengavel Water and Snabe Quarry Drumclog

2 Recommendation(s)

2.1 The Committee is asked to approve the following recommendation(s):-

- (1) Grant Detailed Planning Permission – Subject to Conditions (Based on Conditions Attached).

2.2 Other Actions/Notes

- (1) The Planning Committee has delegated powers to determine this application
- (2) The Committee should note that the decision notice should not be issued until a final contribution is made to the Snabe Quarry Fund to cover the remaining mineral extraction at Snabe.

3 Other Information

- ◆ Applicant's Agent: None
- ◆ Council Area/Ward: 05 Avondale and Stonehouse
- ◆ Policy Reference(s): **South Lanarkshire Local Plan (adopted 2009)**
 STRAT 4 - Accessible Rural Area Policy
 STRAT 6 - Remoter Rural Area Policy
 CRE 2 - Stimulating the Rural Economy Policy
 ENV 4 - Protection of the Natural and Built Environment Policy
 ENV 12 - Flooding Policy
 ENV 21 - European Protected Species
 ENV 34 - Development in the Countryside Policy
 DM 1 - Development Management Policy

**South Lanarkshire Minerals Local Plan
(adopted 2002)**

MP1 - General Protection of the Environment
MP5 - Visual Intrusion and Landscape Impact
MP7 - Watercourses, Surface and Groundwater
MP8 - Public Access to the Countryside
MP9: Archaeological Sites
MP11 - Buffer Zones
MP12 - Impact on Communities
MP15 - Concentration of Mineral Operations
MP18 - Transportation of Minerals
MP24 - Landbanks
MP32 - Noise Survey and Limits
MP33 - Dust Assessment Study

**Proposed Minerals Local Development
Plan 2011**

Policy MIN1 – Spatial Framework
Policy MIN2 – Environmental Protection
Hierarchy
Policy MIN3 – Cumulative Impacts
Policy MIN5 – Water Environment
Policy MIN7 – Controlling Impacts from
Extraction Sites
Policy MIN12 – Transport

◆ Representation(s):

▶	6	Objection Letters
▶	0	Support Letters
▶	0	Comments Letters

◆ Consultation(s):

Environmental Services

Scottish Government

Sandford & Upper Avondale Community Council

Countryside & Greenspace

Roads & Transportation Services H.Q. (Flooding)

Scottish Water

West of Scotland Archaeology Service

SP Energy Network

S.E.P.A. (West Region)

Roads & Transportation Services

TRANSCO (Plant Location)

Historic Scotland

Scottish Wildlife Trust

Scottish Natural Heritage

Planning Application Report

1 Application Site

- 1.1 The application site is located to the southeast of the village of Drumclog and to the southwest of Gilmourton. The site is also approximately 7km to the southwest of Strathaven.
- 1.2 The existing and operational Snabe sand and gravel quarry is located within the northern part of the site. The application site also incorporates an area of farmland, which runs generally parallel with the Glengavel Water to Bankend Quarry, which has been subject to a low level of extraction for a number of years.
- 1.3 The administrative boundary between South Lanarkshire and East Ayrshire Councils is located approximately 2km to the west of the application site.

2 Proposal(s)

- 2.1 The applicant seeks planning permission for the construction of a conveyor link to transport minerals from the Bankend Quarry to Snabe Quarry. Material would be transported from Bankend 'as dug', and would be processed, stockpiled and exported from Snabe Quarry.
- 2.2 The physical elements of the proposed conveyor link would consist of;
 - A 3.3km conveyor line, which consists of a rubber belt suspended on rollers with a steel cover. The structure sits on wooden sleepers, approximately 1.5m wide and has a height of 1.5m,
 - A gravel maintenance track adjacent to the conveyor,
 - Four change points, where the conveyor changes route, requiring concrete pads 2m by 20m. The conveyor at these change points would extend to 3m in height.
 - Watercourse crossings over the Glengavel Water, a small tributary to the Glengavel water and the Avon Water. The crossings of the Glengavel Water and the Avon Water would each involve the construction of a steel bridge.
 - One road underpass, below the B745, involving the installation of a concrete tunnel, and the replacement of the section of the road
- 2.3 It is proposed to power the proposed conveyor with electricity. The steel cover over the conveyor belt would be brown or green, depending on the section.
- 2.4 The proposal also seeks permission to use the existing access road into the yard area at Snabe Quarry, retain and use the weighbridge/wheel wash, yard and offices, retain and use the processing plant and stocking areas and create and use new settlement ponds within Snabe Quarry for the duration of operations at Bankend.
- 2.5 It is likely that there will be an overlap between the completion of mineral extraction at Snabe Quarry and the commencement of mineral extraction at Bankend Quarry. This overlap is anticipated to be for a period of 18 months.

3 Background

3.1 Relevant Government Policy/Guidance

- 3.1.1 The National Planning Framework for Scotland 2 (NPF2) notes that adequate supplies of minerals must be available to the construction industry if Scotland's infrastructure investment plans are to be realised and housing and business needs met. As the rural economy changes however, a high quality environment and a

strong cultural identity will be key assets in promoting sustainable growth, economic diversification and community development in these rural areas.

- 3.1.2 Scottish Planning Policy (SPP) notes that an adequate and steady supply of minerals is necessary to support sustainable economic growth. It states that operators should provide sufficient information to enable a full assessment to be made of the likely effects of development together with proposals for appropriate control, mitigation and monitoring.
- 3.1.3 In relation to flooding and drainage, SPP notes that flooding is a natural process which cannot be prevented entirely. SPP notes that development which would have a significant probability of being flooded or would increase the probability of flooding elsewhere should not be permitted. Planning authorities are to have regard to the risk of flooding when preparing development plans and determining the planning applications. If development is permitted on a flood plain, the flood plain should be designed to remain operational in times of flood and not impede water flow, and the effect on the flood water storage capacity should be kept to a minimum.
- 3.1.4 In relation to landscape and natural heritage, SPP notes that most sensitive landscapes may have little or no capacity to accept new development. Landscapes and the natural heritage are sensitive to inappropriate development and planning authorities should ensure that potential effects, including the cumulative effect of incremental changes, are considered when deciding planning applications. Planning authorities should apply the precautionary principle where the impacts of a proposed development on nationally or internationally significant landscape or natural heritage resources are uncertain but there is sound evidence for believing that significant irreversible damage could occur.
- 3.1.5 All national policy and advice is considered in the Assessment and Conclusions section of this report.

3.2 Development Plan Status

- 3.2.1 The adopted South Lanarkshire Local Plan 2009 is relevant when determining this application. The following policies are relevant when assessing this application include;
- Policy STRAT4: Accessible Rural Area
 - Policy STRAT6: Remoter Rural Area
 - Policy CRE2: Stimulating the Rural Economy
 - Policy ENV4: Protection of the Natural and Built Environment
 - Policy ENV12: Flooding Policy
 - Policy ENV21: European Protected Species
 - Policy ENV34: Development in the Countryside
 - Policy DM1: Development Management
- 3.2.2 The adopted South Lanarkshire Minerals Local Plan 2002 (MLP) contains the following policies against which the proposal should be assessed:
- Minerals Policy 1 (MP1) – General Protection of the Environment
 - Minerals Policy 5 (MP5) – Visual Intrusion and Landscape Impact
 - Minerals Policy 7 (MP7) – Watercourses, Surface and Groundwater
 - Minerals Policy 8 (MP8) – Public Access to the Countryside
 - Minerals Policy 9 (MP9) – Archaeological Sites
 - Minerals Policy 11 (MP11) – Buffer Zone
 - Minerals Policy 12 (MP12) – Impact on Communities
 - Minerals Policy 15 (MP15) – Concentration of Mineral Operations

- Minerals Policy 18 (MP18) – Transportation of Minerals
- Minerals Policy 24 (MP24) – Landbanks
- Minerals Policy 32 (MP32) – Noise Surveys and Limits
- Minerals Policy 33 (MP33) – Dust Assessment Study

3.2.3 In addition, the Proposed Minerals Local Development Plan (PMLDP) is a material consideration in the determination of this planning application. The following policies are relevant when determining this application:

- Policy MIN1 – Spatial Framework
- Policy MIN2 – Environmental Protection Hierarchy
- Policy MIN3 – Cumulative Impacts
- Policy MIN5 – Water Environment
- Policy MIN7 – Controlling Impacts from Extraction Sites
- Policy MIN12 – Transport

3.2.4 All of these policies are examined in detail in the Assessment and Conclusions section of this report.

3.3 Pre-Application Consultation

3.3.1 The Planning etc (Scotland) Act 2006 introduced a hierarchy of development, to ensure that applications are dealt with in a way appropriate to their scale and complexity. The proposed development is classed as ‘Major’ as a result of its nature and scale. The applicant was therefore statutorily required to undertake pre-application consultation with the local community.

3.3.2 In support of the planning application, the applicant submitted a Pre-Application Consultation Report, which sets out the community consultation exercise undertaken to comply with the statutory requirement of PAC.

3.3.3 During a number of Snabe Community Liaison Meetings, which took place on the 21 July 2009, 9 March 2010, 20 July 2010 and 23rd November 2010 the applicant set out and discussed their proposals for the proposed conveyor and retention of processing plant at Snabe Quarry with members of the liaison group committee, including members of the Upper Avondale and Sandford Community Council.

3.3.4 A copy of the Proposal of Application Notice was sent to South Lanarkshire Council on the 23 September 2010. In addition, a copy of the PAC Notice was provided to the Community Council and details of the development were hand delivered to a number of properties in vicinity of the two quarries and the proposed conveyor line. These parties were also advised of the forthcoming public consultation event.

3.3.5 On the 29 and 30 September 2010, a notice was published in the East Kilbride News and the Hamilton Advertiser respectively, advising of the forthcoming public meeting.

3.3.6 On the 12 and 13 October 2010, between the hours of 14.30 and 19.00, a public consultation event was undertaken in the Woman’s Rural Institute Hall in Gilmourton. The event was attended by approximately 20 members of the local community, including members of the Community Council.

3.3.7 The main concerns raised with the applicant during the consultation process related to the continued processing of material at Snabe Quarry, which has the potential to create noise, dust and visual impacts, and that the processing plant should be relocated to Bankend Quarry. These comments are consistent with the representations the Council has received whilst considering this planning application.

3.3.8 Having regard to the above I am satisfied that the applicant met the legislative requirements for pre-application consultations.

3.4 Planning History

3.4.1 Planning permission for the extraction of sand and gravel at Snabe Quarry was originally granted through three planning permissions – P/M/67/451, dated 7 February 1968, P/M/66/95S, dated 4 October 1967 and P/M/70/1394 dated 12 May 1971. A further planning application to consolidate these permissions was applied for in December 1996 (EK/97/0006). The decision notice for EK/97/0006 was eventually issued by the Council in October 2006. The operation of Snabe Quarry is currently undertaken under this consent. The consent requires operations to cease within 20 years from the date of commencement under the new permission.

3.4.2 In addition, the planning history for Bankend Quarry is also relevant. The application for Bankend Quarry was granted in 1966 under reference P/M/66/734. The site has been worked at a low intensity over the intervening period. A Review of Old Mineral Permission (ROMP) application was submitted to the Council in April 1998. A decision on the ROMP application was not issued within the statutory three month determination period and on this basis, the operator at the time, accepted the proposed conditions as approved. Condition 3 of this new suite of conditions states that *“On commencement of full production all extracted material shall be transported from the site by field conveyor for processing at the existing Snabe Quarry plant Site...”*. The operations at Bankend Quarry are required to cease by 2028.

4 Consultation(s)

4.1 **Roads and Transportation**: confirm that they have no objection to the proposed development. Roads and Transportation (R&T) note that the proposed development will significantly reduce the number of lorries on the B745 and will improve the safety for cyclist and pedestrians using the B745. R&T also note that there will not be an increase in the number of lorries entering the A71, when compared to the existing operations at Snabe Quarry. It is also proposed to route the proposed conveyor under the B745. R&T make a number of comments with regards to these works, including the need to design the underpass in accordance with the Design Manual for Roads and Bridges and the need for a regular inspection regime of the underpass.

Response: Noted. Condition 15 requires an inspection regime for the proposed underpass to be submitted and thereafter implemented.

4.2 **West of Scotland Archaeology Service**: raise no objections to the proposed development. WOSAS agree with the archaeology chapter and recommend that a condition be attached to any consent granted requiring the implementation of a programme of archaeological works.

Response: Noted. If the Planning Committee resolves to grant planning permission, a condition could be used to ensure WOSAS’s recommendations are achieved.

4.3 **Sandford and Upper Avondale Community Council**: Object to the proposed development. The Community Council has cited the following as their primary points of objection;

- The ES downplays and dismisses the adverse effects of the proposed development on the neighbouring residential properties in the Rylands Area,
- The proposals will prolong the operational timescale of Snabe Quarry,
- The proposals effectively changes Snabe Quarry into the processing site for other deposits of sand and gravel in the area,

- The ES does not satisfactorily explore the alternative option of processing and distributing material from Bankend Quarry.

The consultation response from the SUACC was very similar to that of an objection received with regards to the application, the points of which are summarised within Section 5 below.

Response: Noted. These various aspects of the proposed development are considered within the Assessment and Conclusion section of this report.

- 4.4 **Environmental Services:** raise no objections to the proposed development, subject to the use of a condition to control noise. Environmental Services seek daytime noise levels to not exceed 55dB LAeq and night time levels to not exceed 42dBLAeq.
Response: Noted. Conditions 9, 18, 19 and 20 are proposed to control noise from the proposed development.
- 4.5 **Scottish Natural Heritage:** raise no objection to the proposed development. SNH do however make a number of recommendations relating to protected species including Otters, Water Voles, Badgers, Nesting Birds and Fish. SNH also comment on the effect of the morphology of the Glengavel Water on the proposed development, the potential landscape and visual impact of the proposed development and in relation to access and recreation and sustainability.
Response: Noted. SNH's comments are discussed at greater length with Section 6 below.
- 4.6 **Scottish Environment Protection Agency (SEPA):** note that the development will involve the construction of the proposed conveyor and access track across the function floodplain. SEPA however note that the impact of the proposals on flood risk is demonstrated to be negligible. SEPA do not therefore object to the proposed development, providing a condition ensuring that the proposed development does not result in the net loss of the storage capacity of the functional floodplain is attached to any consent. Furthermore, SEPA also recommend that the resilience of the conveyor structure to withstand flood waters should be assessed.
Response: Noted. The comments made by SEPA in relation to this application are considered in greater detail within Section 6 of this report.
- 4.7 **Historic Scotland:** confirm that they have no objections to the proposed development and offer no substantive comment.
Response: Noted.
- 4.8 **Roads & Transportation Services H.Q. (Flooding):** confirm that they have no objections to the proposed development and offer no substantive comment.
Response: Noted.
- 4.9 **Transport Scotland:** confirm that they have no objections to the proposed development and offer no substantive comment.
Response: Noted.
- 4.10 **Countryside and Greenspace Services:** confirm that they have no objections to the proposed development and offer no substantive comment.
Response: Noted.
- 4.11 **Scottish Government: Climate Change and Water Industry Directorate:** confirm that they have no objections to the proposed development and offer no substantive comment.
Response: Noted.

4.12 **Scottish Water**: confirm that they have no objections to the proposed development and offer no substantive comment.

Response: Noted.

4.13 **Scottish Wildlife Trust**: did not provide comments with regards to this application.

Response: Noted.

4.14 **Scottish Gas (TRANSCO)**: did not provide comments with regards to this application.

Response: Noted.

5 Representation(s)

5.1 The application was advertised due to the scale and nature of operations, as Development Contrary to the Development Plan, non-notification of neighbours and as an Environmental Statement application within the Lanark Gazette, and as an Environmental Statement application within the Edinburgh Gazette.

5.2 As a result of this publicity, 6 representations were received and these are summarised as follows:

a) **The proposed transport and processing methods appear to be the most suitable however no consideration has been given to the potential impact of the removal of the aggregate on the Glengavel Water.**

Response: This application does not seek planning permission for the extraction of aggregate. The extraction of aggregate from Bankend is a consented activity under planning permission P/M/66/734.

b) **The application does not put forward proposals to minimise impacts of the development (particularly the retention of the processing plant at Snabe Quarry) on residential properties in Rylands.**

Response: A number of measures are currently employed within the Snabe processing area to reduce the impacts of the operation on nearby properties. These measures relate to dust minimisation through the use of sprays on stockpiles, water bowsers on roads etc, noise minimisation through the use of bunds around generators, reversing alarms which do not carry significant distance etc. These measures are set out within the application documents and conditions require these measures to be implemented.

c) **The application fails to consider the option of processing the minerals at Bankend.**

Response: The consideration of the proposals contained within the Environmental Statement refers to the benefits of the proposed conveyor when compared to the haulage of minerals from Bankend via road.

d) **The application fails to consider all transport options, or the number of homes affected.**

Response: The Environmental Statement considers the affects of the proposed development on a number of properties located within proximity of the application site in relation to noise, dust and visual impact.

e) **The land within the operational Snabe Quarry (Phase B), closest to Rylands, should have been restored by now, according to the consent for Snabe Quarry. The proposed silt ponds, required to facilitate this development would be required for the long term.**

Response: It is noted that the previous proposals for the Snabe Quarry included phased restoration of the site. The extent of the restoration carried out at the site to date is less than anticipated. Nevertheless, the applicant has restored Phase A of the site, but for operational reasons, has required to locate silt ponds in areas which were due to be restored. Condition 7 requires the operator to submit details of screening proposals for approval and therefore implement these proposals.

- f) **The bunds constructed to screen the operational Snabe quarry from Ryelands are industrial in appearance.**

Response: As discussed in e) above, Condition 7 requires the applicant to submit further proposals to improve the appearance of these bunds.

- g) **The operation at Snabe quarry has resulted in a noise impact to my property. The retention of the processing plant would extend the life of this impact.**

Response: The impact of the proposed development in relation to noise is considered within the Environmental Statement and within paragraphs 6.39 to 6.41 below. It is considered that the development will not create an unacceptable impact on amenity through the creation of noise.

- h) **If requirements for sand is high and gravel is low, or vice versa, where would the additional material be stockpiled.**

Response: The applicant is required to manage the stockpiles of material within the approved areas.

- i) **The proposals will effectively result in the processing plant at Snabe Quarry becoming the processing hub for mineral deposits across the Avon Valley, and may not just be limited to the deposit at Bankend.**

Response: This proposal relates solely to the importation of material from Bankend Quarry, via the conveyor. The applicant has however indicated that they have interests in another mineral deposit at Laigh Plewland, located adjacent to Bankend. Any proposals to work the deposit at Laigh Plewland or any other deposit and process it at Snabe would require to be considered through a separate planning application.

- j) **The construction of the proposed settlement lagoons would create an adverse impact on residential amenity to the properties in Rylands.**

Response: As discussed in e) above, Condition 7 requires the applicant to submit further proposals to screen the plant and associated silt ponds.

- k) **There is no detail with regards to the size of the proposed lagoons within the application.**

Response: Drawing S138/54B shows the extent of the silt ponds within Snabe Quarry.

- l) **The proposed lagoons will mean that the area to the rear of Rylands will remain unrestored until 2020 or longer.**

Response: Noted. The proposed ponds will result in areas of Snabe Quarry being unrestored for a period of time. Condition 7 therefore requires proposals to screen these areas from nearby residential proposals to be set out and thereafter implemented.

- m) **The application fails to investigate the other alternative route to haul minerals, via the B743.**

Response: I am satisfied that the applicant has investigated a number of alternatives, and that this proposal represents the best solution.

- n) **The application is misleading as it states that the development will result in the removal of all minerals traffic from the road network. The volume of distribution traffic would be the same whether the sand and gravel was processed at Bankend of Snabe.**

Response: The Environmental Statement notes that 35,000 vehicle trips (17,500 loads) per annum will not require to travel from Bankend to Snabe as a result of the proposed conveyor. This traffic will however depart Snabe and join the A71. The quantities of minerals to be dispatched from Snabe will remain at the current level. Roads and Transportation Services has not objected to the proposed development. I am therefore satisfied that the development will not create an unacceptable traffic impact.

- o) **The information relating to ecology was not published due to the sensitive information enclosed. It is common practice to redact sensitive information, rather than preventing people from making an informed assessment.**

Response: The ecological information relating to this application was submitted to the Council on a confidential basis, and was passed to Scottish Natural Heritage for assessment. Nevertheless, a summary of the ecological assessment is contained within Volume 2 of the Environmental Statement, which is sufficient to allow people to make an informed assessment.

- p) **Low frequency noise has been a problem since the Snabe Quarry started operating. It is considered that this is associated with generators of pumps. A condition should be used to prohibit the use of generators, except during power cuts.**

Response: The applicant has confirmed that it is their intention to use mains electricity to power the proposed and existing plant. The electricity supplier cannot however commit to the development until planning permission is secured. The assessment of the proposed development has shown that it can be carried out on generators.

- q) **The cumulative impact assessment of the development in relation to landscape and visual impact does not take into account the recently approved windfarms at Dungavel and Bankend Rig or the proposed windfarms at West Browncastle and Calder Water.**

Response: The Environmental Assessment does not specifically consider the cumulative impact of the proposed development and windfarm proposals. Nevertheless, having considered the proposed development in relation to windfarm development, I am satisfied that it will not create a cumulative impact.

- r) **The Environmental Statement examines a number of alternative options for exporting material from Bankend. It does not however explore the proposal to build a road directly from Bankend Quarry to the B743.**

Response: The assessment considers a number of alternatives to the proposed development. It is considered that the proposals represent the best solution to transport and process minerals extracted from Bankend.

- s) **Should planning permission be granted, the following issues should be covered by conditions;**

- **confirmation of the date of expiration in the 2006 Snabe planning consent should be issued and no extension allowed under any circumstances;**

Response: The 2006 Snabe Planning Consent requires operations to cease and the site to be restored with 20 years of commencement of operations under that permission. Operations recommenced at Snabe in 2008 and are therefore required to cease by 2028. No extension to these timescales is proposed through this application.

- **the maximum period of two years from the date of planning committee approval should be laid down for Tarmac to complete residual extraction at Snabe and restore all areas of the site;**

Response: Condition 5 requires extraction within Snabe Quarry to have ceased within 2 years from the date of commencement of operations under the consent.

- **the period of time allowed for importation should be restricted to a maximum seven years to accommodate Bankend deposits and no extension considered until planning consent has been issued for both the excavation and export of Laigh Plewland material;**

Response: The applicant has applied for consent for a period of 16 years. This was on the basis that extraction at Bankend, based on current rates, could last until 2020 and the extraction of the unconsented reserve at Laigh Plewland would extend the period to 2028. There are however uncertainties regarding the extraction of a deposit with no planning consent. On this basis, it is proposed to require the removal of the structures and restoration of the site by the September 2022, which provides some flexibility to the applicant for market changes etc. The applicant will however be entitled to apply for permission to retain the conveyor for a greater duration, should other mineral deposits get consent.

- **settlement ponds for Bankend material should be sited away from neighbouring properties in the area currently earmarked for Laigh Plewland silt. Tarmac cannot reserve areas on the site for activities which are dependant upon a planning application that has not been lodged;**

Response: The assessment of the application has to be based upon the acceptability of the proposals put forward by the applicant. The location of the ponds, as proposed within this application, is considered to be acceptable, subject to the provision of screening.

- **importation should be refused unless all plant, offices etc are powered by electricity from a connection to the mains supply;**
- **the use of diesel generators should be banned except for cover during unavoidable disruption to the mains supply;**

Response: The applicant has confirmed that it is their intention to use mains electricity to power the proposed and existing plant. The electricity supplier cannot however commit to the development until planning permission is secured. The assessment of the proposed development has shown that it can be carried out on generators.

- **no vehicles should be allowed to use reversing sirens on the site;**

Response: reversing alarms are a Health and Safety requirement for the operation being proposed. Condition 20 requires these alarms to be non-audible, ambient related or low tone devices.

- **adequate bunds should be erected and maintained screening site neighbours from noise and visual intrusion in all areas.**

Response: Noted. Condition 7 requires details of screening measures to be implemented.

- t) **The development would adversely affect the access to my property and employees working on the site would require to use the access.**

Response: A limited number of employees would require to access the Bankend Quarry, once it becomes fully operation via the B745. This issue is however associated with the operation at Bankend and not with the operation of the proposed conveyor.

- u) **My water and drainage pipes run under the B745, which could be affected by the proposed development.**

Response: The proposed development negates the need to transport minerals by road, thereby ensuring the B745 will not be adversely affected.

- v) **The proposed development would adversely affect the natural environment.**

Response: The impact of the proposed development on the natural environment is considered within Section 6 below.

- w) **The proposed development would result in an increase of dust at my property, adversely affecting air quality.**

Response: The impact of the proposed development on air quality is considered below.

All of the above letters have been copied and are available for inspection in the usual manner and on the Planning portal

6 Assessment and Conclusions

6.1 Under the terms of Section 25 of the Town and Country Planning (Scotland) Act 1997, as amended, all applications must be determined in accordance with the development plan unless material considerations indicate otherwise. In this case, the development plan comprises the Glasgow and Clyde Valley Joint Structure Plan, the adopted South Lanarkshire Minerals Local Plan 2002 and the adopted South Lanarkshire Local Plan 2009. The Proposed Minerals Local Development Plan (PMLDP) has been submitted to the Scottish Ministers for examination and is a material planning consideration. In addition, the Proposed Glasgow and the Clyde Valley Strategic Development Plan has recently been published.

6.2 In assessing any application for mineral extraction it is also necessary to evaluate the proposals against the most up to date policies and criteria contained in the relevant national planning policy. There is specific national planning policy guidance and advice for mineral workings contained within SPP, PAN 50 (together with its various annexes) and PAN 64.

6.3 SPP recognises an adequate and steady supply of minerals is essential to support sustainable economic growth. When assessing mineral proposals, planning authorities should consider aspects such as landscape and visual impacts, transportation impacts, the effect on communities, cumulative impact, environmental issues such as noise and vibration, and potential pollution of land, air and water.

SPP notes that planning authorities should require operators to incorporate proposals for phased working and if applicable progressive restoration in planning applications. Proposals should also address visual impact during the life of the site, the locational impact of operations, design, layout and phasing and the appropriate management of extractive waste. SPP notes that consents should be associated with an appropriate financial bond unless the operator can satisfactorily demonstrate that their programme of restoration, including the necessary financing, phasing and aftercare of sites, is sufficient.

- 6.4 PAN 50 (Controlling the Effects of Surface Mineral Workings) provides advice on best practice with respect to mineral working in relation to the control of noise, dust, traffic, and blasting.
- 6.5 PAN 64 provides advice on best practice for reclamation of sites and relates specifically to restoration conditions, after care considerations, various uses of sites, planning conditions, agreements and after care schemes. These issues have been considered, where appropriate, in the processing of this application.
- 6.6 The matters raised at a national level are covered in more detail within the Development Plan. Consideration of the developments conformity with national policy is therefore provided in paragraph 6.43, following the assessment of the development against the local plan.
- 6.7 Both the Glasgow and Clyde Valley Structure Plan and the Glasgow and Clyde Valley Strategic Development Plan identify South Lanarkshire as a broad area of search for aggregate minerals. Given that the proposed development is required to facilitate the working of a significant deposit of sand and gravel, the development is considered to be consistent with Structure/Strategic Development Plan Policy.
- 6.8 At a local level the application falls to be considered against the policy aims of the adopted South Lanarkshire Local Plan 2009. The application site falls on an area of land designated by both Policy STRAT4 and STRAT 6.
- 6.9 Policy STRAT 4: Accessible Rural Area states that the Local Plan strategy will be to build on the economic potential of the area's high quality natural and built environment and tourism potential and to ensure these qualities are not eroded. All development should seek to enhance the environmental quality of the area. In relation to this policy, it should be noted that the processing plant at Snabe and a section of the conveyor lies within the area designated by STRAT 4. The proposed development will negate the need to transport minerals directly from Bankend along minor roads to Drumclog. In addition, the minerals would be dispatched from the Snabe processing plant directly onto the A71, which is a principle transport corridor in the area. The dispatch of minerals onto the A71 will be at similar volume to that currently experienced from the workings at Snabe Quarry. In addition, the proposed conveyor has been designed and routed to minimise impact on the area. It is therefore unlikely that the development will create an unacceptable impact on the economic potential of the area. On this basis, it is considered that the proposed development is consistent with STRAT 4.
- 6.10 Policy STRAT6: Remoter Rural Area notes that the Council will seek to sustain population and economic activity within this area and that all development should seek to enhance the environmental quality of the area. In relation to this policy, it should be noted that the section of the conveyor which leads to the Bankend Quarry is located within the area designated by STRAT 6. It is considered that the proposed development will facilitate and support economic activity in the area and that the

proposed development will do this through the most environmentally appropriate way.

- 6.11 Policy CRE2: Stimulating the Rural Economy states that for non-residential development within rural areas, development should respect the landscape, countryside amenity and nature conservation interests complement the scale, design and character of the locality and promote environmental enhancement. The impact of the proposed development on the landscape is considered in paragraphs 6.21 to 6.23 below.
- 6.12 Policy ENV4: Protection of the Natural and Built Environment notes that development which would affect areas of national importance will only be permitted where the overall integrity of the area can be shown not to be compromised. In terms of local/regional, development proposals which would affect these areas will only be permitted where the integrity of the protected resource will not be significantly undermined. The proposed developments potential impact on species is considered in paragraphs 6.14 to 6.17, below. No protected sites are likely to be affected by the proposed development due to the distance between them and the application site. The conveyor line will sit on the railway sleepers, and an access track will run along side it. The ground works associated with the development are relatively limited and are not likely to adversely affect the natural or built development. It is therefore considered that the development is consistent with Policy ENV4.
- 6.13 Policy ENV12: Flooding Policy states that the Council will take a precautionary principle and seek to avoid increasing flood risk by refusing permission for new development where it would be at risk of flooding or increase the risk of flooding elsewhere. The Environmental Assessment considers the impact of the proposed development on flooding and vice versa. Whilst it is proposed to locate a section of the proposed conveyor structure within the floodplain, this has been minimised. This is considered further in paragraphs 6.30 to 6.33 below. The Flood Prevention Unit was consulted in relation to the development and confirmed that they have no objections. It is therefore considered that the development complies with this policy.
- 6.14 Policy ENV21: European Protected Species notes that the Council will give full consideration in the assessment of development proposals that may affect them and developments that are judged to have significant detrimental effects shall not accord with the plan. SNH have raised no objection to the proposed development but do however make a number of recommendations relating to their interests.
- 6.15 SNH note that otters have been recorded using nearby watercourses and ponds and ditches at Snabe Quarry. SNH recommend that the route of the conveyor should be checked prior to works commencing to ensure no holts have been built that would require additional mitigation measures etc. In addition, any fencing used along the route of the conveyor should be a type which allows otters to crawl under it. SNH's comments are noted and conditions 27 and 28 are proposed to cover these requirements.
- 6.16 In relation to water voles, SNH note that the previous survey found suitable habitat for water voles along the Glengavel Water. On this basis, SNH recommend that a check is undertaken by a suitably qualified ecologist for water voles at the locations where the conveyor will cross the Glengavel Water. Condition 27 is proposed to cover this requirement.
- 6.17 In relation to badgers, SNH note that badger setts are located within proximity of the proposed conveyor route. SNH request that a 30m buffer should be retained

between any badger sett, including inactive badger setts, and the proposed conveyor. Any fencing used along the route of the conveyor should be a type which allows badgers to crawl under it. Condition 28 is proposed to cover this requirement.

- 6.18 In relation to nesting birds, SNH note that a number of bird species, including lapwing, skylark and snipe were recorded during the survey work, and therefore recommend that any works ground works which will disturb nesting sites are undertaken outwith the main nesting season. Condition 29 is proposed to cover this requirement.
- 6.19 In relation to fish, SNH note that salmonids are using the Hall's burn, Glengavel and Avon water. SNH note that it is important that no mineral or silt gets into the watercourse as a result of the proposed development and therefore recommend that measures are taken to minimise this risk. In response, it should be noted that the Environmental Statement sets out a variety of mitigation measures to minimise the deposit of material into water courses. This includes the avoidance of water courses where possible, the use of a conveyor hood, the regular inspection of the conveyor to monitor any spillage or leakage, the enclosure of the conveyor at watercourse crossings. In addition, the river bank will be surveyed on an annual basis to monitor the riverbank stability and erosion rates. Conditions 2 and 22 are proposed to ensure these measures are implemented.
- 6.20 Based on the above assessment, the proposed development complies with Policy ENV21.
- 6.21 Policy ENV34: Development in the Countryside sets out a number of assessment criteria to be used when determining planning applications for development within rural areas. These assessment criteria include issues such as impact on the natural and built environment and landscape and visual impact. An assessment of the landscape and visual impact of the proposed development is contained within the Environmental Statement. The assessment considers that the development will create a slight to moderate impact on properties to the east of the conveyor. In addition, the retention of the processing plant is likely to result in a continued moderate landscape and visual impact to the properties at Ryelands. Unlike the conveyor, the processing plant is existing and the effects do not therefore require to be predicted. SNH are generally satisfied that the landscape and visual impact assessment of the proposed development has been carried out appropriately and agree with the conclusions of the assessment. SNH request that the additional planting set out within Figure 9 (Drawing M07169 (e).09) is required as a result of a planning condition or legal agreement.
- 6.22 The proposed lagoons for the treatment of process water are proposed to be located 100m from the closest residential property (Burnbank Cottage). None of the proposed activities involve the extraction of minerals. The processing ponds, once constructed, will be non-intrusive and will not result in noise or dust. A screening mound is currently located between the site and Burnbank Cottage. The resident of Burnbank Cottage has however suggested that the appearance of the bund should be improved. The applicant has confirmed that they are willing to remodel and improve the appearance of the bund to address these concerns. Condition 7 is proposed to ensure that works are carried out on the screening bund to reduce its visual impact.
- 6.23 Having considered the advice provided by SNH, the Countryside and Greenspace Service and the likely impact of the development, it is considered that the proposed

development would not result in an unacceptable landscape and visual impact and The development is therefore consistent with Policy ENV34.

- 6.24 Policy DM1: Development Management requires all development to take fully into account the local context and built form. As discussed above, the landscape and visual impact of the proposed development is not considered to be unacceptable.
- 6.25 In addition to the SLLP, the application involves the completion of winning or working of minerals at Snabe Quarry. In addition, the proposed development is clearly linked and is necessary to facilitate such development. On this basis, a number of policies contained within the South Lanarkshire Minerals Local Plan (MLP) and the Proposed Minerals Local Development Plan (PMLDP) are considered relevant when determining this application. The issues raised by the individual policies of the Minerals Local Plan and the Proposed Minerals Local Development Plan are discussed below.
- 6.26 Policy MP1 of the MLP seeks to minimise the impact on the environment and communities whilst ensuring that sufficient supplies of minerals are available to meet society's needs. Policy MIN1 of the PMLDP notes that the Council will balance the economic benefit from mineral development against the potential impacts on the environment and local communities. The proposal to construct a conveyor to transport minerals from the Bankend working area to the existing processing plant at Snabe Quarry is considered to be the most sustainable way to transport the material and would create the least impact on local amenity. On this basis, the development is considered to be consistent with Policy MP1 and MIN1.
- 6.27 Policy MP2 of the MLP states that the Council will only permit mineral development which will not adversely affect the conservation interest on international sites. Policy MP3 of the MLP notes that the Council will prohibit mineral development which will cause a significant adverse impact on national/regional designated sites. Policy MP4 of MLP notes that the Council will prohibit mineral development which will cause significant adverse impact on local environmental designations. Policy MIN 2 of the PMLDP reflects the policy contained within MP2, MP3 and MP4 of the MLP. As discussed above, no protected sites are located within proximity of the application site and therefore the proposed development would not result in an impact on any protected sites. In addition, consideration has been given to the developments impact on protected species in paragraphs 6.14 to 6.17 above, and it is considered unlikely that the development will adversely affect any protected and non-protected species.
- 6.28 SNH note that the course of the Glengavel Water is mobile and that consideration should be given to the consequences of any necessary engineering works which may be required to protect the conveyor. Furthermore, SNH recommend that a contingency plan is produced prior to the operation of the conveyor. Condition 32 covers this requirement.
- 6.29 Policy MP5 of the MLP notes that the Council will not permit proposals for mineral extraction which are considered to be visually intrusive or which impact adversely upon the local landscape character, unless the impact can be reduced to an acceptable level. The landscape and visual impact is considered in paragraphs 6.21 to 6.23 and it is considered that the development is therefore consistent with Policy MP5.
- 6.30 Policy MP7 of the MLP sets a presumption against proposals which have a detrimental impact on watercourses, surface or groundwater. Policy MIN5 of the

PMLDP notes that development proposals which will have a significant adverse impact on the water environment will not be permitted. The Environmental Statement submitted alongside the planning application gives consideration to the impact of the proposed conveyor on surface water and ground water. As a result of the nature of the development, there will be no significant excavation and it is therefore unlikely that the development will have any impact on ground water.

- 6.31 In terms of surface water, the proposed development would involve three water crossings. In addition, the Glengavel Water is prone to flood from time to time. The development proposal has been designed to remove the route of the proposed conveyor outwith the floodplain for the majority of its length. However, the structure will cross into the flood plain at the water course crossing points and at the northern length of the conveyor. The Environmental Statement sets out a variety of mitigation measures to minimise any impact the proposed development could have on the water environment. These include, but are not limited to;
- The piles for the water course crossing points will be made of steel, rather than concrete,
 - The piles for the water course crossing points will be set back from the water courses and banks by 5 meters,
 - The conveyor belt will be designed to be above the 1 in 200 year flood return, plus an additional 20% for climate change, plus a 1m freeboard to minimise the risk of flooding.
- 6.32 As a result of the design, SEPA has confirmed that they are satisfied that the Flood Risk Assessment demonstrates that the impact of the proposed conveyor and associated development on flood risk will be negligible. Nevertheless, SEPA note that SPP states *“Piecemeal reduction of the flood plain should be avoided because of the cumulative effects of reducing storage capacity”*. On this basis, SEPA request that a condition be attached to the planning permission which ensures the development does not result in a net loss of the storage capacity of the functional floodplain (Condition 23).
- 6.33 With the above in mind, it is clear that the proposed conveyor will not adversely affect the water environment. In terms of the retention of the Snabe processing plant, the development involves the creation of three silt ponds to treat the processing water and allow silts to settle. No changes are proposed to the way in which the processing plant is operated, although processed water will be piped to different parts of the Snabe site during the course of operations, as ponds silt up. The processing operation at Snabe currently operates under *‘The Water Environment (Controlled Activities) (Scotland) Regulations 2011’* (CAR), which is regulated by SEPA. It is therefore considered that the proposed development is consistent with the Policies MP7 and MIN5. Condition 1 requires the mitigation measures set out within the ES to be fully implemented, unless otherwise agreed by the Council.
- 6.34 Policy MP8 of the MLP notes that the Council will seek applicants to investigate opportunities to increase public access to the countryside as part of their proposals. In addition, where paths will be affected by the proposals, consideration should be given to the diversion of these paths and all disturbed routes should be reinstated in the long term. The proposed development does not affect any rights of way or footpaths. The application proposes the use of a number of pedestrian crossing points over the conveyor. Condition 31 is proposed to ensure that details of these pedestrian crossings are submitted and thereafter these are implemented. The Environmental Statement also notes that the use of the proposed conveyor will ensure heavy traffic will not require to use the B745, ensuring no impact is

experienced on this route. On the basis of the above, the development is consistent with Policy MP8.

- 6.35 Policy MP9 of the MLP seeks to safeguard potential archaeological reserves. WOSAS confirm that they agree with the Cultural Heritage chapter of the Environmental Statement and that they agree with the proposed mitigation measures. WOSAS recommend a condition is used to ensure a watching brief is implemented. Condition 17 is proposed, as requested by WOSAS. On this basis, the proposed development is consistent with Policy MP9.
- 6.36 Policy MP12 of the MLP seeks applications for mineral extraction to be assessed with respect the impact of the operation in relation to traffic, roads, noise, dust and visual impact. Policy MIN12 of the PMLDP states that proposals will not be supported by the Council if they are considered to create a significant adverse traffic and transportation impact. Policy MIN7 of the PMLDP seeks to ensure all mineral development will not create an unacceptable impact through the generation of noise, dust, vibration and air pollution. The issues covered by this policy are considered elsewhere within this report. It is considered that the development is not contrary with Policy MP12.
- 6.37 Policy MP14 of the MLP encourages mineral operators to contribute to a community benefit fund. Policy MIN8 of the PMLDP notes that the Council will encourage operators to contribute to the South Lanarkshire Rural Communities Trust, Quarry Fund or the Council's Renewable Energy Fund or similar mechanism. The applicant currently contributes a sum of money to the Snabe Quarry Fund on an annual basis. The applicant has confirmed that they will be willing to make a one-off final contribution to the Snabe Quarry Fund which will cover the remaining minerals to be extracted at Snabe. The decision notice will not be issued until this contribution is made.
- 6.38 Policy MP18 of the MLP requires a Transportation Impact Assessment to accompany all new proposals for mineral development. Policy MP18 sets out a number of issues which require to be addressed within a TIA. The proposed development will enable material to be transported from Bankend quarry to the processing plant at Snabe without the need to transport this material by road. The material will however be dispatched from Snabe once processed, however this will be straight onto the A71, a main transport route within the area. The number of HGV's leaving the site will remain similar to that currently experienced. The development will not result in an unacceptable impact with regards to traffic and transportation and the development therefore complies with Policy MP18.
- 6.39 Policy MP24 of MLP notes that the Council will aim to maintain a landbank equivalent to at least 10 years extraction for sand and gravel throughout the plan period. The sand and gravel reserve located at Bankend provides a significant positive contribution to the aggregate landbank within South Lanarkshire. The proposed development will facilitate the development at Bankend and will therefore indirectly create a positive contribution to the landbank.
- 6.40 Policy MP32 of the MLP requires a survey to be carried out to determine existing background noise levels and an estimate of the likely future noise which would arise from the proposed development. The closest residential property to the conveyor line is 65m (Gailmill Cottage) and the closest property to the processing plant is 225m (Avonmhor Cottage). In addition, the proposed lagoons for the treatment of process water are proposed to be located 100m from the closest residential property (Burnbank Cottage). None of the proposed activities involve the extraction of

minerals. A noise assessment has been submitted in support of the planning application as part of the ES. The assessment considers both the proposed conveyor and the retention of the processing plant, and ponds.

- 6.41 The assessment demonstrates that noise from the proposed conveyor will be between 31db and 48db at the closest residential properties. It should however be noted that Gailmill Cottage, where the noise environment will increase most, is owned by Tarmac and is rented out on short-term lets. Excluding Gailmill Cottage, the maximum noise levels at all other properties, from the proposed conveyor, will not exceed 40db $L_{Aeq,1hr}$. The noise levels from the conveyor are well within levels set out in PAN 50 and are considered acceptable.
- 6.42 In relation to the noise from the processing plant and ponds, the properties of Burnbank, Burnbank Cottage and Holmhead are considered within the Environmental Statement. Consideration is also given to the final completion of extraction within Snabe, which is likely to take 18 months after the importation material from Bankend commences. The assessment concludes that the development will result, based on worst case scenarios, in noise levels of 52dB at Burnbank, 47db reducing to 45dB at Burnbank Cottage and 55dB reducing to 40dB at Holmhead once mineral extraction at Snabe is completed. These levels are consistent with advice contained with PAN50. Environmental Services has confirmed that they have no objections to the proposed development. On this basis, the development is considered to comply with Policy MP32.
- 6.43 Policy MP33 of the MLP requires a dust assessment to be undertaken for all mineral development which should affect dust sensitive properties. The impact of the development in relation of dust is given consideration within the Environmental Statement. The assessment considers that the dust sources from the conveyor to be insignificant, because the raw material will be damp, covered and at a considerable distance from the closest receptors. In terms of the processing area at Snabe, the assessment identifies sources of dust, including the stockpiling, processing and dispatch areas. Mitigation measures, including the use of the recently installed sprays and water bowsers for the stockpiling and processing area and the seeding of exposed pond banks, are proposed. In extreme circumstances, it is proposed to re-locate or temporarily cease activities. Environmental Services has confirmed that they have no objections to the proposed development. On this basis, the development is considered to comply with Policy MP33.
- 6.44 In relation to national policy, it is considered that the assessment of the proposed development in relation to the Local Plan has demonstrated that it will not create an unacceptable impact on the environment of communities. It is considered that the proposed development is consistent with national planning policy.
- 6.45 Consultations indicate that the proposed impacts from noise, dust and traffic movements generated by this proposal are not likely to significantly affect local residents. The proposed development represents the best option to transport, process and distribute the material won from the already consented operation at Bankend Quarry.
- 6.46 In consideration of all the evidence it is felt appropriate to recommend that the proposed development be approved subject to the imposition of suitable planning conditions to control site operations and restoration works.

7 Reasons for Decision

- 7.1 The proposal complies with the principles of the Structure Plan, and all relevant policies contained within the Minerals Plan and the South Lanarkshire Local Plan. The proposal also complies with national planning policy and advice and there are no objections to the proposal from consultees.

Colin McDowall
Executive Director (Enterprise Resources)

21 November 2011

Previous References

- P/M/67/451
- P/M/66/95S
- P/M/70/1394
- EK/97/0006
- P/M/66/734

List of Background Papers

- ▶ Application Form
- ▶ Environmental Impact Assessment, including Non-Technical Summary (Volume 1), Environmental Statement (Volume 2), Technical Appendices (Volume 3) and Ecological Impact Assessment for the Installation of Field Conveyor between Bankend Quarry and Snabe Quarry with Processing at Snabe, prepared by Tarmac Ltd dated May 2011,
- ▶ Application Plans including;
 - M07169(e).02 – Location Plan
 - S138/36E – Application Area
 - M07169(e).06 – Proposals Plan
 - S138/54B – Activity Blocks of Operations at Snabe during Bankend Processing
 - S138/55B – Residual Extraction at Snabe
 - S138/58 – Revised Concept Restoration Scheme including Bankend Silting
 - S138/56A – Cross Sections
 - 10055 05 P1 – Bridge over Avon Water Layout and Details
- ▶ Consultations

Historic Scotland	12/07/2011
Scottish Natural Heritage	08/08/2011
Environmental Services	13/07/2011
TRANSCO (Plant Location)	12/07/2011
Scottish Government	27/07/2011
Scottish Water	29/06/2011
Countryside & Greenspace	30/06/2011

West of Scotland Archaeology Service	15/07/2011
Roads & Transportation Services H.Q. (Flooding)	07/07/2011
S.E.P.A. (West Region)	11/07/2011
SP Energy Network	11/07/2011
Sandford & Upper Avondale Community Council	27/07/2011
Roads and Transportation Service	09/11/2011

► Representations

- Representation from : Elizabeth O'Neill, Burnbank Cottage
Strathaven
ML10 6QF, DATED 27/07/2011
- Representation from : Mrs. Kathleen Richardson, Ryelands Cottage
Ryelands
Strathaven
ML10 6QF, DATED 27/07/2011
- Representation from : John Clark, Midclyde Angling Association
11 Kildary Avenue
Glasgow G44, DATED 22/07/2011
- Representation from : Gillian Bishop, Woodside Cottage
Ryelands
Strathaven
ML10 6QF, DATED 29/07/2011
- Representation from : The River Clyde Fisheries Management Trust Ltd, , DATED
10/08/2011
- Representation from : Mrs. J Smith, Barnock House
Drumclog
Strathaven
ML10 6RG, DATED 19/07/2011

Contact for Further Information

If you would like to inspect the background papers or want further information, please contact:-

Donald Wilkins
(Tel: 01698 455903)
E-mail: planning@southlanarkshire.gov.uk

CONDITIONS

- 1 This decision relates to the development described and assessed within the Environmental Impact Assessment, including
 - Non-Technical Summary (Volume 1),
 - Environmental Statement (Volume 2),
 - Technical Appendices (Volume 3), and
 - Ecological Impact Assessmentfor the Installation of Field Conveyor between Bankend Quarry and Snabe Quarry with Processing at Snabe, prepared by Tarmac Ltd dated May 2011.

All mitigation measures set out within the documents listed above shall be fully implemented, unless otherwise agreed in writing by the Council.

- 2 That the development hereby approved shall be implemented strictly in accordance with drawing numbers;
 - M07169(e).02 - Location Plan
 - S138/36E - Application Area
 - M07169(e).06 - Proposals Plan
 - S138/54B - Activity Blocks of Operations at Snabe during Bankend Processing
 - S138/55B - Residual Extraction at Snabe
 - S138/58 - Revised Concept Restoration Scheme including Bankend Silting
 - S138/56A - Cross Sections
 - 10055 05 P1 - Bridge over Avon Water Layout and Details

No change to the design or external finishes of the proposed development shall take place without the prior written approval of the Council as Planning Authority.

- 3 That the development shall be carried out strictly in accordance with the plans hereby approved. If, due to unforeseen circumstances, it becomes necessary or expedient to materially amend the provisions contained within the approved documents or conditions, the developer shall submit for the consideration of the Council as Planning Authority, an application and statement of intent. The developer shall adhere to the approved plans until such time as an amended application may be approved by the Council as Planning Authority.
- 4 All operations authorised or required by this permission shall cease and all plant, machinery equipment, structures and buildings shall be removed and the site restored in accordance with drawing S138/58, the habitat management plan required by Condition 22 and the conditions of this permission not later than 30th September 2022, unless otherwise approved in writing by the Planning Authority.
- 5 Notwithstanding the terms of condition 4 above, and with the exception of phase F as identified on Drawing S138/54B, all mineral extraction operations within Snabe Quarry shall cease within 2 years of the date of commencement of development hereby approved, and within 12 months thereafter the land shaded light green on Drawing S138/54B shall be restored in accordance with the restoration plan (drawing S138/58), to the satisfaction of the Council.

In terms of Phase F, all extraction operations associated with that phase shall cease no later than the 30th September 2021 and within 12 months of the date of extraction operations associated with Phase F ceasing, Phase F shall be restored

in accordance with the restoration plan (drawing S138/58), to the satisfaction of the Council.

- 6 From the commencement of development until its completion, a copy of this permission, including all documents hereby approved and any other documents subsequently approved in accordance with any conditions of this permission shall be kept available for inspection on the site during the prescribed working hours.
- 7 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, the operator shall submit, for the written approval of the Council, detailed proposals to screen views of the processing plant and associated works at Snabe from nearby residential properties. The works thereby approved shall thereafter be implemented in full, to the satisfaction of the Council, prior to the importation of material via the conveyor. These measures shall thereafter be retained and maintained for the duration of this consent, unless otherwise approved in writing by the Council.
- 8 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, a restoration guarantee bond, to cover the restoration and aftercare of Snabe Quarry and the maintenance and removal of the B745 underpass, granted by a UK clearing bank or other financial institution acceptable to the Council, the value and terms of which are considered acceptable by the Council, shall be submitted for the written approval of the Council.

Thereafter, a restoration guarantee bond shall be maintained for the site for the duration of activities and the agreed aftercare period, to the satisfaction of the Council.

- 9 That, except for the management of water or in connection with essential maintenance of plant, the site and associated plant shall only operate within the hours stated below, and during these hours the site shall be adequately manned and supervised.

	Weekdays	Saturdays
Time of Opening	07.00	07.00
Time of Closing	17.30	12.00 noon

There shall be no working on Sundays, Public Holidays or Local Bank Holidays, unless otherwise agreed in writing by the Council as Planning Authority.

- 10 That all vehicles travelling to and from the site for the purposes of transporting minerals shall use the existing site access point as identified on Drawing No: S138/54B to enter and leave the site.
- 11 That for the duration of operations at the site, a high powered wheel wash shall be retained and maintained at the location of the existing wheel wash. All mineral carrying vehicles shall use the wheel wash prior to entering onto the public road.
- 12 That the public road adjacent to the site shall be kept clear of mud or other deposited material arising from the site at all times, to the satisfaction of the Council as Planning and Roads Authority.
- 13 That prior to any road vehicle loaded with sand or gravel or other mineral, as may be approved by this permission, leaving the site the load shall be suitably sheeted to ensure there is no escape of materials.

- 14 That, with the exception minerals transported via the conveyor hereby approved, no minerals shall be imported to the Snabe processing plant site, unless otherwise agreed in writing by the Council.
- 15 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, a scheme for the inspection, maintenance and final decommissioning of the underpass structure to be located under the B745 shall be submitted and approved by the Council. Thereafter, the approved scheme shall be implemented to the satisfaction of the Council as Planning Authority.
- 16 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, measures to improve the operation of the site access onto the A71 shall be submitted and approved by the Council as Planning and Roads Authority. Thereafter, the approved measures shall be implemented prior to the transportation of minerals/materials via the proposed conveyor.
- 17 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, the operator shall secure the implementation of a programme of archaeological works in accordance with a written scheme of investigation which has been submitted by the applicant, agreed by the West of Scotland Archaeology Service and approved in writing by the Council as Planning Authority. Thereafter the operator shall ensure that the programme of archaeological works is fully implemented and that all recording and recovery of archaeological resources within the development site is undertaken to the satisfaction of the Council as Planning Authority, in consultation with the West of Scotland Archaeological Service.
- 18 That with respect to the control of noise resulting from the operations at this site the operator shall comply with the following:
 - (a) that between 08.00hrs and 17.30hrs, the nominal noise limit attributable to site operations at all noise sensitive properties in the vicinity of the site, shall not exceed 55 dB(A) LAeq, over any one hour period;
 - (b) Notwithstanding part (a) above, between 17.30hrs and 08.00hrs the nominal noise limit attributable to site operations at the noise sensitive properties in the vicinity of the site shall not exceed 42 dB(A) LAeq, over any one hour period;
 - (c) Notwithstanding part (a) above, for not more than 8 weeks in any 12 month period, the nominal noise limit from temporary site operations shall not exceed 70dB(A) LAeq, over any one hour period at all noise sensitive properties within vicinity of the development.
- 19 That effective silencers shall be fitted to, used and maintained in accordance with manufacturers' instructions on all vehicles, plant and machinery operating on site. Save for the purpose of maintenance, no machinery shall be operated with covers open or removed.
- 20 That reversing alarms used on all plant and vehicles shall be either non-audible, ambient related or low tone devices.
- 21 At all times during the carrying out of operations authorised or required under this permission, water bowsers and sprayers, mobile or fixed, shall be used at times as it is necessary to minimise the emission of dust from the site. At such times as the prevention of dust nuisance by these means is not possible, the transportation of

minerals via the conveyor shall temporarily cease until such time as the weather conditions improve.

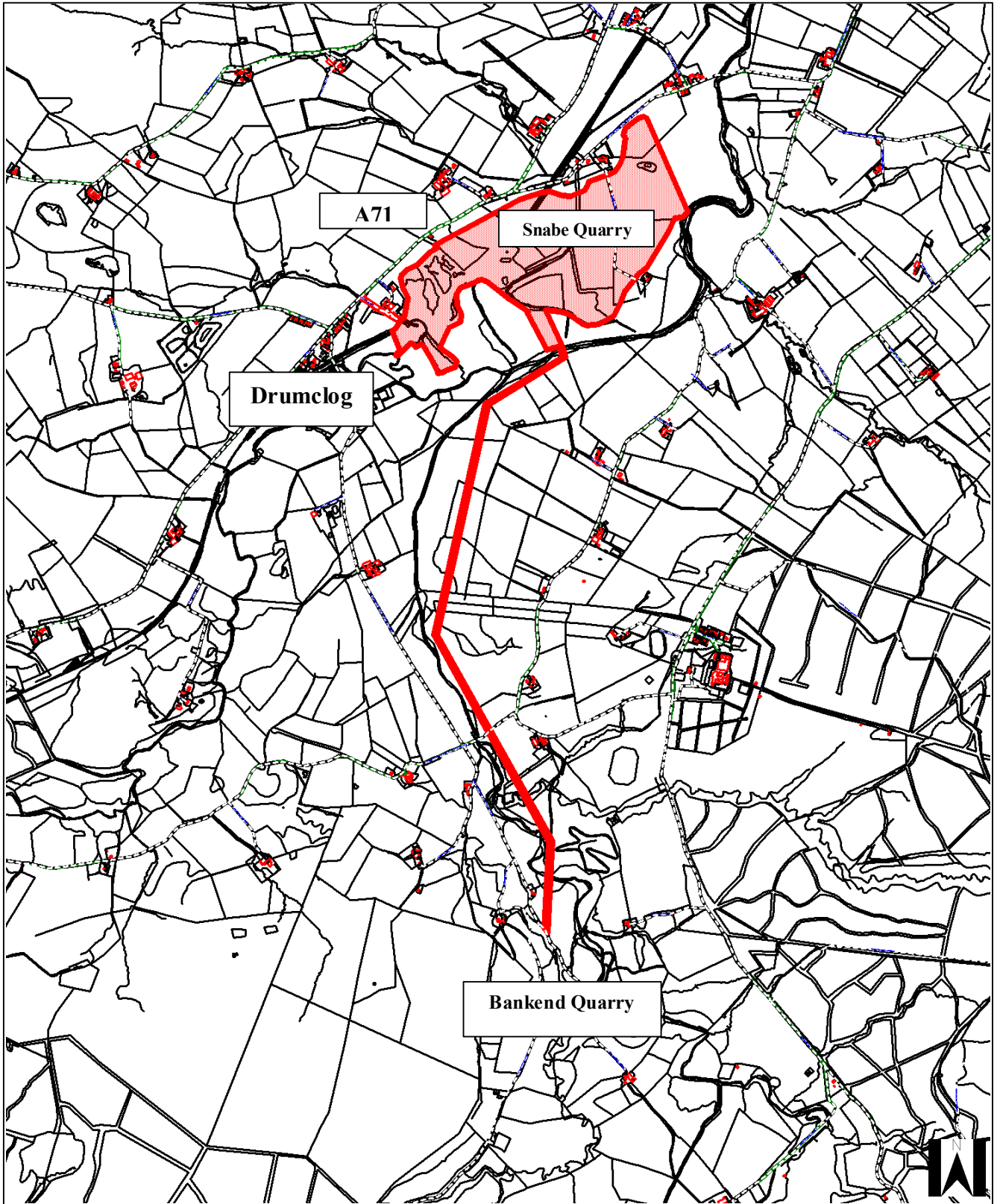
- 22 That within 12 months of the date of commencement of development hereby approved, and annually thereafter for the duration of this permission as set out in Condition 4, a suitably qualified professional shall undertake a riverbank survey and visual condition assessment inspection to monitor the river bank stability and erosion rates of the stretches of the Glengavel Water and Avon Water located within 100m of the conveyor route. A report, detailing the findings of the survey/inspection and any consequent recommendations/works, shall be submitted to the Council within 2 months of undertaking the survey and those works shall be undertaken within an approved timescale.
- 23 That the proposed development will not result in a net loss of the storage capacity of the functional floodplain.
- 24 That the conveyor hereby approved shall be fully enclosed at all water course crossings, to the satisfaction of the Council as Planning Authority.
- 25 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, a surface water management plan shall be submitted to and approved by the Council. Thereafter, all measures set out within the approved surface water management plan shall be implemented in full within the timescales so approved, to the satisfaction of the Council.
- 26 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, a habitat management plan shall be submitted to and approved by the Council. Thereafter all measures/works set out within the approved habitat management plan shall be implemented in full within the timescales so approved, to the satisfaction of the Council. For avoidance of doubt, the habitat management plan shall include proposals for the replanting/strengthening of existing hedgerows, additional tree planting in the vicinity of the conveyor and new hedgerows along the conveyor corridor. The plan should also include proposals for further planting and restoration of the conveyor route following the removal of the conveyor structure.
- 27 That not more than 6 months prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, updated ecological surveys shall be carried out by a suitably qualified ecologist within 100m of the conveyor route. The surveys will investigate the presence of the following:
- otters
 - badgers
 - water voles
 - reptiles/amphibians
- A report, detailing the findings of the surveys and any consequent recommendations shall be submitted to the Council for approval within 2 months of undertaking the survey and prior to the commencement of development. Thereafter, the recommendations contained within the report of the ecological survey shall be implemented, as required.
- 28 That any fencing or other structures erected along the route of the conveyor shall be designed to allow badgers and otters to crawl under or over them, to the satisfaction of the Council.

- 29 The removal of any trees and the cutting of rough grasslands that could provide habitat for nesting birds will take place outside the bird breeding season (March to August inclusive), unless a survey to establish the presence or otherwise of nesting birds has been undertaken and, where required, appropriate mitigating measures have been carried out to the satisfaction of the Planning Authority.
- 30 That any construction works within 10m of the bank of a river, shall be undertaken outwith the nesting season of Sand Martins and Kingfishers (April to mid-September), unless a survey to establish the presence or otherwise of Sand Martin or Kingfishers has been undertaken and, where required, appropriate mitigating measures have been carried out to the satisfaction of the Planning Authority.
- 31 That prior to the commencement of development hereby approved unless otherwise agreed in writing by the Council, details of pedestrian crossing points along the length of the conveyor shall be submitted to and approved in writing by the Council. Thereafter, the approved pedestrian crossing points shall be installed and retained for the duration of this permission unless otherwise agreed in writing by the Council.
- 32 The prior to the commencement of development hereby approved, a contingency plan setting out the engineering work which may be required to protect the conveyor from the Glengavel Water and Avon Water as a result of the watercourse morphology, shall be submitted to and approved in writing by the Council.
- 33 That prior to the commencement of development hereby approved, the following details shall be submitted to and approved in writing by the Council;
- The detail of any proposed lighting along the conveyor route;
 - The colour of the gravel to be used for the access track;
 - The colour of the conveyor, change points, water crossings and associated works;

REASONS

- 1 For the avoidance of doubt and to specify the documents upon which the decision was made.
- 2 For the avoidance of doubt and to specify the drawings upon which the decision was made.
- 3 To ensure that the Planning Authority retains effective control of the development.
- 4 To ensure that the Planning Authority retains effective control of the development.
- 5 To ensure that the Planning Authority retains effective control of the development.
- 6 To ensure that the Planning Authority retains effective control of the development.
- 7 In the interests of amenity and in order to retain effective planning control.
- 8 To ensure that provision is made for the restoration and aftercare of the site.
- 9 To ensure that the Planning Authority retains effective control of the development, minimise any nuisance and to protect the amenity of neighbouring properties.
- 10 To ensure that the Planning Authority retains effective control of the development, and in the interests of road safety.

- 11 In the interests of public safety and to prevent deleterious material being carried onto the highway.
- 12 In the interest of road safety
- 13 To prevent deleterious material being carried into the highway.
- 14 In order to retain effective planning control.
- 15 In the interest of road safety.
- 16 In the interest of road safety.
- 17 To ensure that provision is made to address areas of archaeological interest.
- 18 To ensure that the Planning Authority retains effective control of the development, minimise any nuisance and to protect the amenity of neighbouring properties.
- 19 In the interests of amenity and in order to retain effective planning control.
- 20 In the interests of amenity and in order to retain effective planning control.
- 21 In the interests of amenity and in order to retain effective planning control.
- 22 To monitor and protect the nearby watercourses.
- 23 To protect land and properties from flooding.
- 24 To protect the nearby watercourses.
- 26 To protect the water environment.
- 27 In the interests of protected species.
- 28 In the interests of protected species.
- 29 To protect the nesting sites of birds.
- 30 In the interest of protected birds.
- 31 In the interests of recreation and access.
- 32 To protect the nearby watercourses.
- 33 To minimise landscape and visual impact



For information only

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