
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: CONSULTATION FROM PERTH AND KINROSS COUNCIL

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DEVELOPMENT PROPOSED: EXTENSION TO QUARRY BOUNDARY TO ALLOW THE FORMATION OF A PERMANENT LANDSCAPED OVERBURDEN MOUND, AND VARIATION TO CONDITIONS 2 AND 19 OF PLANNING PERMISSION PK/98/1329 TO ALLOW RELOCATION OF OVERBURDEN AND THE WORKING OF ADDITIONAL MINERAL RESERVES TOGETHER WITH THE PROVISION OF APPROPRIATE RESTORATION AT SHIERGLAS QUARRY STRATHGARRY PITLOCHRY

REFERENCE: PERTH AND KINROSS REFERENCES 13/01333/FLL & 13/01342/FLL

APPLICANT: BREEDON AGGREGATE LTD

RECOMMENDATION: NO OBJECTION- SUBJECT TO COMMENTS

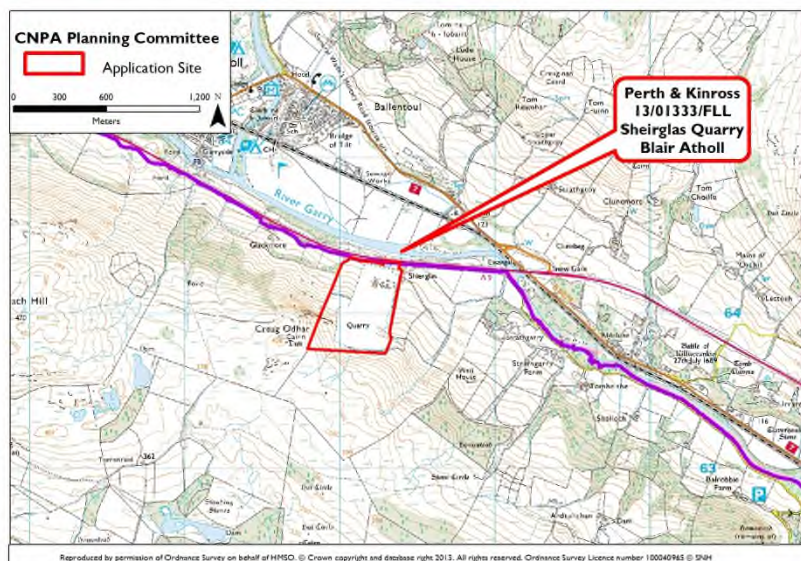


Fig 1.: Location Plan

PURPOSE OF REPORT

1. The purpose of this report is to provide a consultation response to Perth and Kinross Council (who are dealing with this planning application) on two planning applications. These applications seek to increase the quarry boundaries to allow for construction of a landscaped overburden mound and, secondly, to vary the conditions of an existing operational quarry in order to relocate overburden and work additional minerals resources. The quarry, Shierglas Quarry, is located just outside the National Park, near to Blair Atholl.
2. The Cairngorms National Park Authority (CNPA) has been consulted in relation to any impacts upon the National Park as the application is accompanied by an Environmental Statement under the terms of the Town and Country Planning (Environmental Impact Assessment) (Scotland) Regulations 2011. The planning issues being considered in relation to this consultation are whether there are any impacts upon the qualities of the Park.

SITE DESCRIPTION AND PROPOSAL

The Proposals

3. The proposed development involves two planning applications which are linked and are accompanied by an Environmental Statement (ES) which describes the environmental impacts and proposed mitigation in detail. The two applications can be summarised as follows:
 - Application reference 13/01333/FLL – which seeks to extend the existing quarry boundary in order to form a permanent landscaped overburden mound to the west of the site outwith the original quarry boundaries. This will involve around 2 hectares of additional land.
 - Application reference 13/01342/FLL – which seeks to vary the conditions of the original consent here in order to allow for the relocation of overburden and the working of additional minerals reserves, along with restoration proposals. The additional reserves will be extracted from the area currently occupied by existing overburden storage. The removal of the existing overburden store will result in loss of some vegetation which has colonised this area over time.
4. The relationship of the various components is shown in **Appendix I** to this report. In addition to these proposals, an application for a “Certificate of Lawfulness” has also been submitted for retention of settlement lagoons at the north end of the site. This is not the subject of consultation with the CNPA, being a technical procedure by the applicants to establish the lawfulness of these works.
5. Shierglas quarry has an operational life which extends to 2042. The proposals detail how the site will be progressively restored within this time frame, with the quarry worked in a series of seven phases, with the overburden mound progressively built up as this work continues.

6. The application is accompanied by an Environmental Assessment as noted earlier. This includes chapters on landscape and visual impact assessment as well as assessment of other environmental impacts. Viewpoints have been provided to illustrate the impacts from a number of locations including from Blair Atholl, within the National Park.
7. The ES concludes that the proposal will have direct impacts on the Highland glens and Highland summits/plateaux character types, with landform altered within the quarry extension area and the landscaped overburden mound. The restored mound is considered to represent a low level beneficial impact whilst the quarry extension is considered to have visual impacts only from closer viewpoints with medium to long distance impacts assessed as being neutral.
8. The ES notes that landscape character as a whole includes consideration of the National Park designation as well as specific wild land characteristics. The impacts are assessed to be indirect and to relate generally to the setting of the site. In view of the existing baseline and the low level of impact associated with the actual proposals the landscape impact is considered to be of *slight* significance. Closer views are considered to be of moderate scale, and on balance assessed as being slight given that impacts will reduce as restoration progresses.
9. The proposed restoration proposals include early planting of silver birch on the upper east flank of the quarry to try and improve the transition between quarrying and the surrounding landscape. The new overburden mound will be constructed in a series of “lifts” and then progressively reinstated to try and break up its shape from longer distance views.

The Site

10. The site is located close to the A9 from which it is readily visible. Offices, reception area etc. are located near the site entrance on the northern part of the site where disused farm buildings are also located. Processing and working areas rise in layers to the south of this. The site is around 1 km south-east of Blair Atholl and 3 km north-west of Killiecrankie. It lies just to the south of the National Park boundary as shown on **Figure 1** earlier. Immediately on the other (north) side of the A9 runs the River Garry.
11. The proposal to create a permanent overburden area will be developed on agricultural land to the west of the site, whilst other components will be within the existing quarry boundaries. (See **Appendix 1**) This area will be formed during phases 1- 5 of the proposed ongoing works.
12. Shierglas Quarry is a hard rock and limestone quarry covering some 22 hectares of land, strategically located close to the A9 from which it slopes up southwards, and is readily visible. The site lies within ready access of markets, and accordingly, the applicants submit that there has been continued demand for their product, with 15 full time staff employed here and an average output of 120,000 to 150,000 tonnes per annum. Access to the quarry is taken via an unclassified road from Killiecrankie which runs parallel to the A9.

Planning History

13. The CNPA were consulted at the pre application (scoping stage) and provided comments on landscape impacts at this stage and matters to be addressed.

DEVELOPMENT PLAN CONTEXT

Strategic Policy - Cairngorms National Park Partnership Plan 2012-2017

14. The Cairngorms National Park Plan sets out the vision and overarching strategy for managing the Park and provides focus and priorities at a time of limited financial resources. The Plan also provides a strategic context for the Local Development Plan and shows how the four aims of the National Park can be achieved together. It sets out the strategic direction and priorities for the Park.
15. Three long term outcomes for the Park are set out as follows:
 - A sustainable economy supporting thriving businesses and communities;
 - A special place for people and nature with natural and cultural heritage enhanced; and
 - People enjoying the park through outstanding visitor and learning experiences.

These outcomes address the interaction of the three main characteristics of the National Park these being that the Park is an internationally important area for nature conservation; a fragile rural economy, and an internationally known tourism destination. Recognising the relationship of these outcomes is at the heart of the National Park. A series of work programmes to help deliver the outcomes is set out in the Plan.

Policy 2.3 of the Plan seeks to conserve and enhance the special landscape qualities of the National Park, with a particular focus on conserving and enhancing wildness qualities and enhancing opportunities to enjoy and experience the landscapes of the Park.

National Policy and Guidance

16. Scottish Planning Policy (SPP) sets out Scottish Government's policy on nationally important land use planning matters. Specifically, it sets out the Scottish Government's approach to mineral extraction, which is generally supportive of mineral extraction in suitable locations, highlighting the need for an adequate and steady supply of minerals to support sustainable economic growth and the need for Planning Authorities to provide a ten year landbank. Further advice on matters to be considered with applications for mineral extraction is set out in a series of planning advice notes.

17. The importance of particular landscapes such as National Parks is highlighted in Scottish Planning Policy, with the aims of the National Parks set out in paragraph 128 which explains that the most sensitive landscapes may have little or no capacity to accept new development, noting that areas of wild land character in some of Scotland's remoter upland, mountain and coastal areas are very sensitive to any form of development.

CONSULTATIONS

18. **The CNPA Landscape Advisor** advises that Shierglas Quarry lies within the lower Glen Garry and Blair Atholl landscape character area (CNP 2009) which extends across the glen. and due to the consistency and contiguity of the landscape includes areas both within and outwith the National Park. This landscape character area is relatively well contained visually, and the southern side of the glen forms the terminus to many views from within the National Park. Views of the quarry are frequent, although not consistent due to the amount of woodland cover here and can be experienced from numerous locations including the A9, Blair Atholl and Killiecrankie battlefield where the quarry contrasts strongly with the surrounding agricultural land.
19. This landscape has a value as the setting of the National Park and for important other attractions in the area such as Blair Atholl and Blair Castle. Due to the hillside location of the site it is considered that the sensitivity of the wider landscape is medium/high not low/medium as suggested in the ES. Set against the baseline of an existing operational quarry it is considered that the scale and extent of the direct landscape effects resulting from the proposed development would be low. However as the effects are only partly reversible and the time frame is long (until 2042) the overall landscape impact is considered to be of moderate significance.
20. It is recognised that due to the nature of the operations there are limits to the on-site mitigation that can be pursued and that the moderate levels of landscape and visual impacts are not due to the scale of the impacts, but rather to the sensitivity of the resource and receptors, and also to the duration of the workings. In such circumstances it would be expected that mitigation measures be proposed to offset and compensate for the additional impacts associated with this application.
21. It is therefore recommended that in order to comply with Perth and Kinross planning policies and the National Park Plan, the applicant puts forward landscape proposals to protect the landscape in the vicinity of the proposed development (e.g. new plantings to enhance the character; restoration/repair of dykes or other features). Due to the limitations of the site boundary this may involve additional land outwith the applicant's control.

APPRAISAL

22. This application proposes amendments to an existing operational quarry which is clearly visible from the main traffic route (A9) into the National Park and which forms a dominant feature in the existing landscape within this particular landscape character area. The application site is located a short distance to the south of the boundary of the National Park, near to Blair Atholl. In these circumstances the key planning issue for consideration by the CNPA is that of the visual and landscape impact upon the setting of the National Park,
23. The ES which supports this application suggests that any landscape and visual effects upon the National Park will be limited. The CNPA's Landscape Officer has highlighted, however, that there will be moderate impacts associated with the duration of the workings and the sensitivity of the landscape as summarised in paragraphs 18 -20 above.
24. It is fully acknowledged that there are existing visual and landscape impacts from this quarry and, furthermore, the quarry serves an important economic function with national planning policy reinforcing the importance of mineral extraction to the economy. Accordingly the principle of these proposals is considered to be generally satisfactory in relation to impacts upon the National Park.
25. However it is important to seek to minimise visual and landscape impacts upon the National Park as a result of the new proposals to relocate overburden storage and quarry underneath the present area of overburden storage. This is important in relation to the objectives of the National Park Partnership Plan which seeks to enhance opportunities to enjoy and experience the landscapes of the Park.
26. Whilst overall it is considered that the *long* term impacts of these proposals may not be significant, in order to ensure that the objective of landscape enhancement is achieved it would be desirable to secure some landscape enhancements to help mitigate the current and ongoing impacts. This is set out in our Landscape Advisor's comments in relation to planting and restoration/repair of dykes. It is therefore recommended that this form part of the CNPA's consultation response.
27. In conclusion the proposal has been considered with respect to the statutory aims of the National Park and is not considered to conflict with these objectives subject to these above comments. Accordingly it is recommended that the CNPA raise no objection to the proposal subject to the opportunity being taken to secure better landscaping for this important quarrying operation which will help to integrate it into the landscape and ensure any impact upon the National Park is minimised.

RECOMMENDATION

28. That Members of the Committee support a recommendation of **NO OBJECTION** to the proposals for extension to quarry boundary to allow the formation of a permanent landscaped overburden mound, and variation to conditions 2 and 19 of planning permission PK/98/1329 to allow relocation of overburden and the working of additional mineral reserves together with the provision of appropriate restoration at Shierglas Quarry Strathgarry Pitlochry; **subject to the following comments:**

- **It is recommended that the Planning Authority request the applicants to include landscape proposals to protect the landscape in the vicinity of the proposed development (e.g. new plantings to enhance the character; restoration/repair of dykes or other features).**

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24 September 2013

The map on the first page of this report has been produced to aid in the statutory process of dealing with planning applications. The map is to help identify the site and its surroundings and to aid Planning Officers, Committee Members and the Public in the determination of the proposal. Maps shown in the Planning Committee Report can only be used for the purposes of the Planning Committee. Any other use risks infringing Crown Copyright and may lead to prosecution or civil proceedings. Maps produced within this Planning Committee Report can only be reproduced with the express permission of the Cairngorms National Park Authority and other Copyright holders. This permission must be granted in advance.