
CAIRNGORMS NATIONAL PARK AUTHORITY

Title: REPORT ON CALLED-IN PLANNING APPLICATION

**Prepared by: KATHERINE DONNACHIE
(SENIOR PLANNING OFFICER,
DEVELOPMENT MANAGEMENT)**

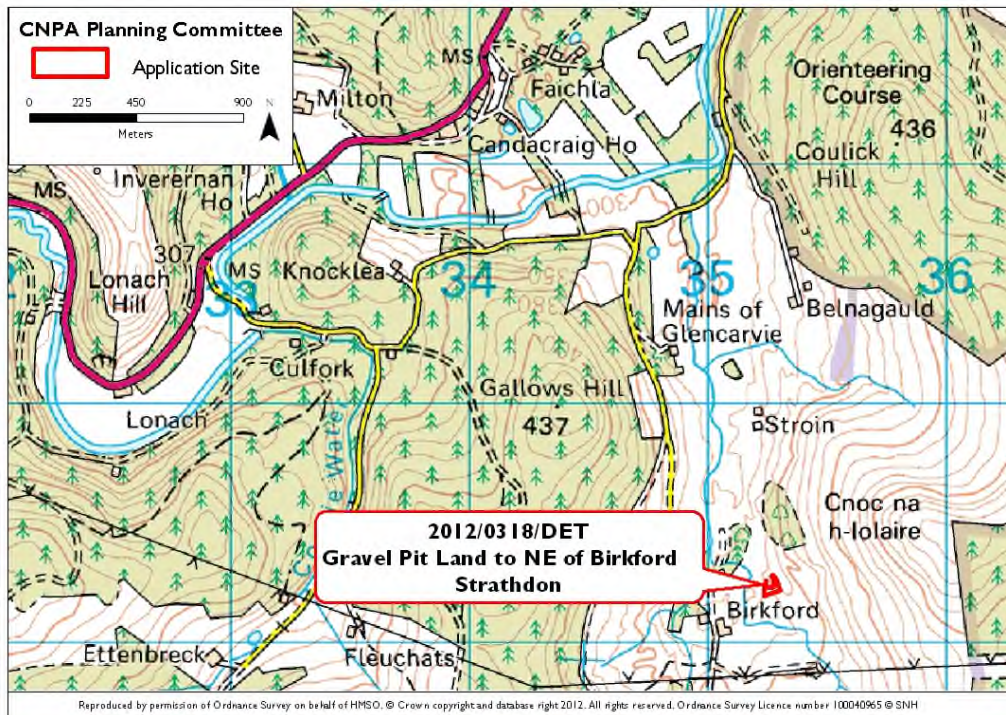
**DEVELOPMENT PROPOSED: EXTRACTION OF GRAVEL
(RENEWAL OF PLANNING PERMISSION S030001MIN)**

REFERENCE: 2012/0318/DET

APPLICANT: FRANK TAYLOR

DATE CALLED-IN: 26 OCTOBER 2012

**RECOMMENDATION: APPROVAL SUBJECT TO
CONDITIONS**



Grid reference: 335270 E 809225 N

Fig. 1 - Location Plan

SITE DESCRIPTION AND PROPOSAL

1. This application seeks planning consent to extend the lifetime of an operational quarry at Strathdon, by renewing an earlier minerals consent, which was still live at the time this current application was made.
2. It is understood that quarrying at this site began some 30 years ago when the local Council required material for building of Doune Court in Strathdon. The most recent planning consent for this site was granted in 2002 by Aberdeenshire Council for a ten year period. (Reference S030001MIN) It is this 2002 consent which the current application seeks to renew.
3. The material is dug sand and small aggregate, with no washing or crushing of materials on site. Plant on site is limited to a riddler to grade material into different sizes and an excavating machine. No other processing takes place on site with material normally removed by tractor and trailer (ten tonne capacity trailer)
4. The quarry is a small scale one, and it is proposed to extract a maximum of 12,000 tonnes of material over the next ten years in order to complete extraction although the agents advise it is unlikely that these extraction levels will be achieved due to current economic conditions. This will be done in phases cutting into the already excavated “knoll” here which will eventually be removed and the land reinstated to agricultural use. The maximum depth of excavation is around 10 metres and the quarry will extend around 30 metres south of the existing face. **Figure 2** below shows the extent of proposed quarrying

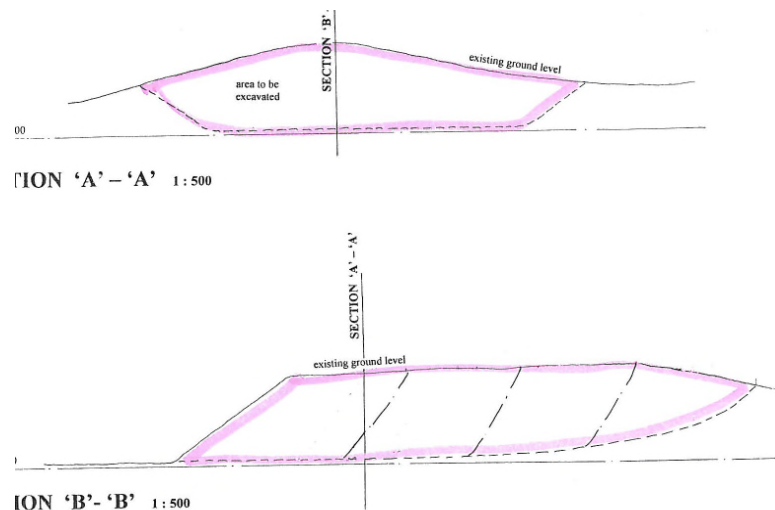


Figure 2: Sections

5. At present the north face of this knoll is exposed and this represents the main visible effect of the quarrying. The applicant's agent has submitted a restoration scheme and plans which illustrate progressive restoration on a north – south axis with some tree planting of native species to be carried out to the north of the quarrying area. This part of the site will be reinstated with stockpiled materials in the first year following granting of any consent. The statement also explains how restoration will be undertaken, using existing spoil currently stored on site to achieve contours which will tie in with the surrounding land form. **Figure 3** below illustrates the wider restoration plan.

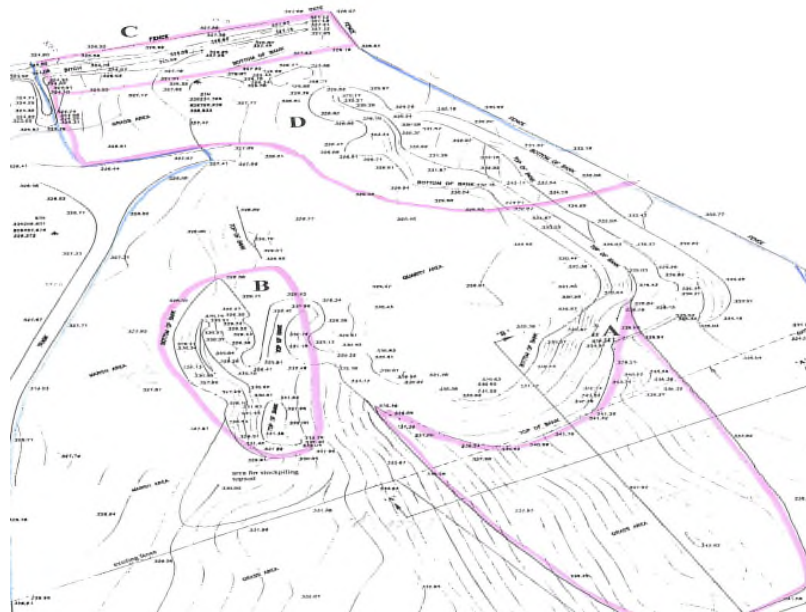


Figure 3 Restoration

6. The site is located in Strathdon in a relatively remote rural location accessed by minor public roads leading west from Stathdon Church up to Glen Carvie. The unclassified road, which is the main access road to the site, leads towards Birkford Farm (which is under the ownership of the applicant) and an existing track comes off this road to serve the site. It may also be accessed from Birkford Farm itself too. This is an undulating rural landscape characterised by a shallow valley contained by gently rounded hills, long ridges and conifer forests.

DEVELOPMENT PLAN CONTEXT

National policy

7. **Scottish Planning Policy (SPP)** is the statement of the Scottish Government's policy on nationally important land use planning matters. It sets out that planning authorities are encouraged to take a positive approach to development, recognising and responding to economic and financial conditions in considering proposals that would contribute to economic growth and has the basic aim "to achieve the right development in the right place." Scottish Planning policy 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.

Strategic Policies

Cairngorms National Park Partnership Plan 2012-2017

8. 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.
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.
9. 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.

Local Plan Policy

10. The Cairngorms National Park Local Plan was formally adopted on 29th October 2010. The full text can be found at :
<http://www.cairngorms.co.uk/parkauthority/publications/results.php?publicationID=265>
11. The Local Plan contains a range of policies and new development requires to be assessed in relation to all policies contained in the Plan.
12. Key planning policies are as follows.
13. Policy 13 – Mineral and Soil/Earth Resources; which presumes against any approvals for new mineral extraction or extension to existing development unless the developer can demonstrate the market within which the materials will be used or provide other social or economic benefits; no suitable or reasonable alternatives are available; the material furthers conservation or restoration of the landscape and built environment. Measures to minimise impacts must be included in any submission

14. Policy 6- Landscape seeks to ensure that development complements and enhances the landscape
15. Policy 5 : Biodiversity which seeks to ensure that there are no adverse impacts upon biodiversity.

Other policies relating to transport, developer contributions and water resources also apply in terms of servicing.

Supplementary Planning Guidance

16. In addition to the adoption of the Cairngorms National Park Local Plan (2010) on 29th October 2010, a number of Supplementary Planning Guidance documents were also adopted. Key for the current proposal is guidance on natural heritage.

CONSULTATIONS

17. **Aberdeenshire Council Environmental Health Service** was consulted and has no comments.
18. **Aberdeenshire Council Roads Service** sought further information on extraction rates and on receipt of this information has raised no objections. They note that the development is served by unclassified minor roads leading to the A944 Strathdon road , with these minor roads being narrow and undulating with sporadic passing places which are seldom inter-visible. These roads are lightly trafficked and the Service is not aware of the existing operation causing traffic problems to date. Based on the proposed extraction rate it is considered that the development should not have any detrimental impact upon the surrounding public road network.
19. **Aberdeenshire Council Planning Gain Unit** has been consulted and have no comments.
20. **Donside Community Council** have been consulted and at the time of writing no comments have been received.
21. **CNPA Ecology Officer** has no adverse comments but advises that there is a need to protect any nesting sand martens using the exposed sand faces of the quarry as it would be an offence to destroy or disturb these birds. Consequently quarrying should avoid any such faces during the bird breeding season. It is further noted that nest holes are easy to identify on site as they are distinctive and arranged in colonies.

22. **CNPA Landscape Officer** advises that the development is located in a generally self contained area, but is visible from the minor road leading up the glen. It has a significant localised effect and expansion of the quarry will extend this impact unless adequate mitigation by way of restoration is carried out. It is considered that there is potential to accommodate mineral extraction of this scale but the initial submission did not illustrate how the impacts would be mitigated. Further information on restoration was sought and the CNPA Landscape Advisor considers that this adequately demonstrates that the proposed operations will not have a significant adverse impact in the landscape in the long term. It is noted that the proposal is for progressive restoration with reinstatement beginning in year one, and that the restoration contours and planting proposals are in keeping with the prevailing character of Glen Carvie.

REPRESENTATIONS

23. The application has been advertised and no representations have been received. The applicant's agent has requested the opportunity to be **heard** at Committee.

APPRAISAL

Principle

24. Local Plan policy on minerals (policy 13) presumes against new workings or extensions unless a particular need can be demonstrated. In this case the proposal is simply to extend the lifetime of an existing, small scale rural quarry not to provide for new workings. As such it is not considered to conflict with policy providing all other relevant planning policies can be met and the continued operation of this quarry does not give rise to any adverse environmental, servicing or amenity impacts.

Technical Issues

25. There are no technical issues arising as a result of this application, with existing servicing to be used. Relevant consultees have no objections to the proposal which due to its scale and location does not give rise to any particular impacts.

Landscape Issues

26. The site is visually discrete in a relatively remote rural location, and is of a similar scale and impact to agricultural borrow pits evident elsewhere in the National Park. Any impacts are localised and can be minimised by mitigation as proposed by the applicant in the restoration plan. This will secure restoration of the northern part of the site and advance tree planting within the first year of operation which will help to mitigate the visual impact. In the

long term the eventual restoration of the quarry will ensure its final fit into the local landform.

27. As such it is considered that the landscape impacts are short term and acceptable when set against the need to provide a continued supply of local minerals. Finally in relation to restoration and landscaping, it is considered that the overall proposals are satisfactory and given the small scale of operations it is not necessary to secure a financial bond, as the works required are minimal and could be readily achieved by the operators.

Other Environmental Effects

28. There are no particular environmental impacts arising from the continued operation of an existing quarry. The applicant is agreeable to ensuring no disturbance to nesting sand martens and from my site visit it was evident that the nests were being avoided.

Other Amenity Issues

29. There are no houses (other than the applicant's own house at Birkford) within close proximity to the site whereby I am satisfied that there should be no loss of amenity for residents in the area by way of matters normally associated with quarrying such as noise and dust. Also as noted earlier relevant consultees (Roads and Environmental Health Officers) have no concerns with this proposal.

Conclusion

30. In these overall circumstances it is considered that the proposal complies with planning policies and with the aims of the National Park.. Approval is therefore recommended subject to suitable planning conditions, in particular to secure the final restoration of this site.

IMPLICATIONS FOR THE AIMS OF THE NATIONAL PARK

Conserve and Enhance the Natural and Cultural Heritage of the Area

31. As satisfactory restoration proposals have been submitted, the proposal has the potential in the long term to enhance the natural heritage of the area by restoring a long standing quarry back into agricultural use and thus improving the appearance of the area.

Promote Sustainable Use of Natural Resources

32. It is inherently more sustainable to continue the lifetime of an existing quarry rather than open a new one. As such the proposal fulfils this aim by quarrying locally sourced materials.

Promote Understanding and Enjoyment of the Area

33. The proposal does not conflict with this aim. The long term restoration of an existing quarry will help promote enjoyment of the area by improving visual amenity

Promote Sustainable Economic and Social Development of the Area

34. The proposed development will help support the social and economic development of the area by securing the ongoing operation of a local business which is of economic benefit to the operator and also to the area by providing a source of local material for any projects in the area.

RECOMMENDATION

That Members of the Committee support a recommendation to GRANT full planning permission for Extraction of Gravel (Renewal of Planning Permission S030001MIN) subject to the following planning conditions

1. The extraction hereby permitted shall be completely discontinued within 10 years of the date of this consent. No further extraction may continue after this date.

Reason: In the interests of landscape and visual amenity as the operations are of a temporary nature, and to ensure the reinstatement of the site

2. Operations on site shall be carried out to avoid working any areas colonised by sand martens during the bird breeding season

Reason: In order to protect environmental interests, wildlife and biodiversity, in accordance with Local Plan policies.

3. No work shall commence in the extended area (marked "A" on the approved restoration plan) until this area is enclosed by a stock proof fence which shall be retained thereafter throughout the lifetime of this consent

Reason: To ensure the orderly development of the site, ensure there is no overspill into adjacent areas, and so comply with Local Plan policies on landscaping.

4. The development hereby approved shall be reinstated in accordance with the approved restoration statement and plan (Drawing no. FT /12/01 dated May 2013 and accompanying statement entitled Plan for Restoration and Planting) with restoration of area D and planting of area C carried out in accordance with the approved details within a year of the date of this consent. All other restoration to be completed within six months of the expiry of the consent, or six months of completion of operations whichever is the sooner, in accordance with the approved details.

Reason: To ensure that the site is satisfactorily restored in accordance with Local Plan policies

5. Unless otherwise agreed with the Cairngorms National Park Authority acting at Planning Authority , there shall be no wet processing of materials at the site

Reason: In the interests of environmental amenity and as the application has been assessed on the basis of dry processing only.

6. That all top soil, overburden and waste spoil shall be retained on site and used in the reinstatement of the site. None of these materials shall be stored within 10 metres of a watercourse.

Reason: To ensure that waste is effectively managed and the site satisfactorily reinstated in accordance with Local Plan policies.

7. That within 6 months of the expiry of the consent, or completion of the excavations whichever is the sooner, all machinery and plant shall be removed from site.

Reason: In the interests of visual amenity and effective planning control

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9 July 2013

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