

EAST AYRSHIRE COUNCIL

NORTHERN AREA LOCAL PLANNING COMMITTEE: 01 FEBRUARY 2002

**01/0781/FL: PROPOSED AMENDMENT TO CONDITION 3 OF
PLANNING CONSENT 99/0581/FL – EXTEND TIME PERIOD OF
CONSENT AND SITE RESTORATION**

AND

**01/0782/FL: PROPOSED AMENDMENT TO CONDITIONS 2 AND 3 OF PLANNING
CONSENT KL/E/FL/94/288A – EXTEND TIME PERIOD OF CONSENT AND SITE
RESTORATION**

**AT LOUDOUNHILL QUARRY, DARVEL
BY TARMAC NORTHERN LTD.**

EXECUTIVE SUMMARY SHEET

1. DEVELOPMENT DESCRIPTION

1.1 It is proposed to extend the working life of Loudounhill quarry from the present approved timetables, to a projected date of 01 November 2004 and thereafter complete site restoration by 01 November 2005.

1.2 The proposed application is in an area that has been quarried for sand and gravel since the 1940's. the further working of minerals from this area can take advantage of the existing infrastructure, namely the processing plant, silt lagoons and site access to the A71. The granting of the applications will therefore ensure that economically viable minerals are not sterilised.

1.3 Present production rates at the quarry equate to 600,000 tonnes of sand and gravel per annum and there are currently conserted reserves of 1.5 million tonnes remaining in the site. The site therefore has reserves that will last for another 2.5 years at the current rate of production.

2. RECOMMENDATION

2.1 It is recommended that the applications be approved subject to the conditions on the attached sheets.

3. CONCLUSIONS

3.1 As indicated in Section 5 of this report, there are no relevant policies in the Adopted Local Plan and given the terms of Sections 25 and 37(2) of the Town and

Country Planning (Scotland Act 1997, greater weight should be attached to the material considerations.

3.2 The material consideration relevant to these applications is the EALP, although there are no specific policies which relate to time extensions to authorised mineral workings.

3.3 Nevertheless, it is considered that since the applications are at existing authorised mineral workings and no objections have been received or adverse comments from any consultees, that the proposals should be favourably considered.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee.

Alan Neish
Head of Planning and Building Control

Note: This document combines key sections of the associated report for quick reference and should not in itself be considered as having been the basis for recommendation preparation or decision making by the Planning Authority.

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**AT LOUDOUNHILL QUARRY, DARVEL
BY TARMAC NORTHERN LTD.**

Report by Head of Planning and Building Control

1. PURPOSE OF REPORT

1.1 The purpose of this report is to present for determination applications which are to be considered by the Local Planning committee under the scheme of delegation because they relate to extensions to sites of minerals workings.

2. APPLICATION DETAILS

2.1 **Site Description:** The application sites are located immediately north of the A71 at Loudounhill, east of Priestland. Application No 01/0782/FL extends to 72.5 ha and covers The Leven and Allanton Plains with Application No 01/0781/FL extending to 1.2ha on a site east of Allanton Plains.

2.2 **Proposed Development:** It is proposed to extend the working life of Loudounhill quarry from the present approved timetables, to a projected date of 01 November 2004 and thereafter complete site restoration by 01 November 2005.

2.3 The proposed application is in an area that has been quarried for sand and gravel since the 1940's. The further working of minerals from this area can take advantage of the existing infrastructure, namely the processing plant, silt lagoons and site access to the A71. The granting of the applications will therefore ensure that economically viable minerals are not sterilised.

2.4 Present production rates at the quarry equate to 600,000 tonnes of sand and gravel per annum and there are currently consented reserves of 1.5 million tonnes remaining in the site. The site therefore has reserves that will last for another 2.5 years at the current rate of production.

3. CONSULTATIONS AND ISSUES RAISED

3.1 East Ayrshire Council Roads Division have no objections to the proposals.

Noted.

3.2 The Scottish Environmental Protection Agency has no objection to the proposed amendments.

Noted.

3.3 West of Scotland Water has no comment to make regarding these applications, however, if the developer is aware of or discovers any public sewers/water mains affected by this application they must notify West of Scotland Water immediately.

Noted.

3.4 West of Scotland Archaeology Service have confirmed that all archaeological work in connection with the extant consents for Loudounhill Quarry have been successfully completed. The Service therefore have no comments in respect of these applications.

Noted.

4. REPRESENTATIONS

4.1 No letters of objection have been received.

5. ASSESSMENT AGAINST DEVELOPMENT PLAN

5.1 Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997 requires that planning applications be determined in accordance with the development plan unless material considerations indicate otherwise. For the purposes of these applications the development plan comprises the Approved Ayrshire Joint Structure Plan and the Ayr County Development Plan (1953).

5.2 However, the Adopted Ayr County Development Plan is now almost 50 years out of date. Given the age of this plan its relevance to the applications is negligible and, as

a consequence, significant weight must be attached to a more recent expression of policy.

6. ASSESSMENT AGAINST OTHER MATERIAL CONSIDERATIONS

6.1 The other principal material considerations relevant to the determination of the applications are the East Ayrshire Local Plan (Finalised Version with Modifications) and the planning history.

6.2 The Adopted Local Plan is considerably out of date and therefore it is considered appropriate that greater weight should be attached to more recent expressions of policy. The Council has agreed that the East Ayrshire Local Plan (Finalised Version with Modifications) (EALP) should be considered a prime material consideration.

There are no specific policies in the EALP which relate to time extensions to authorised mineral workings.

6.3 In terms of the planning history, sand and gravel extraction has taken place at Loudounhill since the 1940's. The first record of planning consent in the area was at Allanton Plains, approved in March 1969. Since this date there have been numerous consents at Loudounhill Quarry.

7. FINANCIAL AND LEGAL IMPLICATIONS

7.1 There are no financial or legal implications for the Council in determining these applications.

8. CONCLUSIONS

8.1 As indicated in Section 5 of this report, there are no relevant policies in the Adopted Local Plan and given the terms of Sections 25 and 37(2) of the Town and Country Planning (Scotland) Act 1997, greater weight should be attached to the material considerations.

8.2 The material consideration relevant to these applications is the EALP, although there are no specific policies which relate to time extensions to authorised mineral workings.

8.3 Nevertheless, it is considered that since the applications are at existing authorised mineral workings and no objections have been received or adverse comments from any consultees, the proposals should be favourably considered.

9. RECOMMENDATION

9.1 It is recommended that the applications be approved subject to the conditions on the attached sheets.

CONTRARY DECISION NOTE

Should the Committee agree that the applications be refused contrary to the recommendation of the Head of Planning and Building Control, the application will not require to be referred to the Development Services Committee.

Alan Neish
Head of Planning and Building Control

17 January 2002
(YN/MMM)

FV/AN

LIST OF BACKGROUND PAPERS

1. Application Form/Plans.
2. Statutory Notice/Certificates.
3. Letters of Representation.
4. East Ayrshire Council Local Plan (Finalised Version).
5. Approved Strathclyde Structure Plan.
6. Approved Ayrshire Joint Structure Plan.

Anyone wishing to inspect the above papers please contact Yvonne Nisbet on 01563 576771.

Implementation Officer: Dave Morris

010781FL&010782FL

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0781/FL

Site of Proposal:	Loudounhill Quarry A71 DARVEL
Nature of Proposal:	Proposed Amendment to Condition 3 of Planning Consent 99/0581/FL – Extend Time Period of Consent and Site Restoration
Name & Address of Applicant:	Tarmac Northern Ltd Technical Services Department PO Box 8725 BELLSHILL ML4 3WF
Name & Address of Agent:	Wardell Armstrong Laird Menzies 153 Constitution Street EDINBURGH EH6 7AD

DPOs Reference: YN/MMM

The above FULL application should be granted subject to the following conditions:-

1. Permission is hereby granted for a limited period of three years. All extraction workings shall cease, by 01 November 2004 and thereafter the site shall be restored in accordance with the requirements of Condition No. 4 of planning consent 99/0581/FL by 01 November 2005.

REASON To enable the Planning Authority to review the situation in the light of the progress of extraction of sand and gravel from the site.

EAST AYRSHIRE COUNCIL

TOWN & COUNTRY PLANNING (SCOTLAND) ACT 1997

01/0782/FL

Site of Proposal: Loudounhill Quarry
A71
DARVEL

Nature of Proposal: Proposed Amendment to Conditions 2 and 3 of
Planning Consent KL/E/FL/94/288A – Extend
Time Period of Consent and Site Restoration

Name & Address of Applicant: Tarmac Northern Ltd
Technical Services Department
PO Box 8725
BELLSHILL ML4 3WF

Name & Address of Agent: Wardell Armstrong Laird Menzies
153 Constitution Street
EDINBURGH EH6 7AD

DPOs Reference: YN/MMM

The above FULL application should be granted subject to the following conditions:-

1. Permission is hereby granted for a limited period from the date of this consent. All extraction workings shall cease, by 01 November 2004, and thereafter the site shall be restored in accordance with the requirements of Condition No. 2 by 01 November 2005.

REASON To enable the Planning Authority to review the situation in the light of the progress of extraction of sand and gravel from the site.

2. Details of a site restoration plan, including details of extracted peat areas, shall be submitted for approval by the Planning Authority within three months of the consent. The restoration plan shall provide for a diverse replacement habitat and for continued visibility of Loudounhill from the A71, whilst providing for the screening of the ongoing extraction workings and those restored areas from which the sand and gravel have been extracted, prior to their final restoration by 01 November 2005. The site restoration shall be approved within 6 months from the date of this consent.

REASON To ensure that the site is satisfactorily restored providing an appropriately diverse habitat which does not detract from the prominence of Loudoun Hill.

**DUE TO ORDNANCE SURVEY REGULATIONS AND COPYRIGHT
THE MAP IS AVAILABLE FOR VIEWING AT THE COUNCIL'S
PLANNING OFFICE IN KILMARNOCK. FOR INFORMATION ON
VIEWING PLEASE CONTACT (01563) 576790.**

AGENDA