



**CONSTRUCTION AND OPERATION OF
PROPOSED REPLACEMENT ASPHALT PLANT**

AT

SHIERGLAS QUARRY

PLANNING APPLICATION STATEMENT

MARCH 2022

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VG235/PA/F/03	Proposed Development
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SHIER30	Proposed Asphalt Area: Restoration Plan
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1 INTRODUCTION

1.1 The Application

Shierglas Quarry currently operates under planning permission reference 18/00344/FLL approved following an application under Section 42 of the Town and Country Planning (Scotland) Act 1997 to comply with conditions pertaining to the extant consent on 22 June 2018. This consent provides for operations at the site to continue until 21 February 2042 and includes permission for the operation of an existing asphalt plant within the current site boundary.

The asphalt plant primarily uses aggregates and crush rock fines produced at the quarry to manufacture coated roadstone for use in road construction and maintenance but is aged and requires replacement. It is therefore proposed to erect a replacement plant at the site. The quarry is situated in an ideal strategic location on the A9 for both the ongoing dualling project and future maintenance of the road, minimising haulage distances and carbon emissions in accordance with environmental objectives. The production of asphalt at the site also enables the maximisation of the sites permitted mineral reserves in accordance with these objectives.

It is therefore proposed to replace the plant at the site. However, due to limited space within the permitted site footprint, it is necessary utilise the adjacent joiner's yard and agricultural land which lies immediately east/north-east of permitted quarry site and can be connected to the existing operation.

It is proposed to relocate the modern modular asphalt plant operated at Loak Farm at Bankfoot to supply the recently completed Luncarty to Pass of Birnham A9 dualling project. The existing facility at Shierglas would be demolished following commissioning of the replacement plant.

The proposed application site herein after referred to as "the Site" comprises 1.6 hectare of ground and will therefore be a Local Development. The Site contains the existing Shierglas Steading which is a Grade C listed building but is in a ruinous state and beyond repair. It is understood that permission is currently being sought to demolish this building allowing the yard and surrounding areas to be regraded to form a flat platform to facilitate the erection and use of the asphalt plant.

1.2 The Applicant

Breedon is a leading construction materials group in Great Britain and Ireland. They produce cement, aggregates, asphalt, ready-mixed concrete, Welsh slate and specialist concrete and clay products, and offer a range of contracting services.

It is one of the leading producers of ready-mix concrete, sands, gravel, crushed rock, agricultural lime, asphalt and concrete blocks in Scotland operating quarries, concrete and asphalt plants throughout the country. The company operates a number of quarries, asphalt and concrete plants across Tayside and Fife providing direct employment to over 100 staff across the region.

At Shierglas the company employs 7 staff with a further 5 people employed indirectly as hauliers.

1.3 Site Location

Shierglas Quarry is an existing operational rock quarry located within the boundaries of Perth & Kinross, approximately 1km to the south east of Blair Atholl. The proposed Site is located immediately to the east of the existing quarry plant site area as shown in JPB Drawing VG235/PA/F/01.

1.4 Planning Application Statement

This Planning Application Statement will identify the key planning considerations relating to the proposal and assess its compliance with the relevant provisions of the Development Plan and any other material considerations.

The Development Plan comprises the TAYplan and Perth and Kinross Local Development Plan. Relevant policies have been identified and considered within this Planning Application Statement.

Legislation requires decisions on planning applications to be made in accordance with the development plan unless material considerations indicate otherwise. The House of Lord's judgement on City of Edinburgh Council v the Secretary of State for Scotland (1998) provided that if a proposal accords with the development plan and there are no material considerations indicating that it should be refused, permission should be granted. If the proposal does not accord with the development plan, it should be refused unless there are material considerations indicating that it should be granted.

Examples of possible material considerations are detailed in Scottish Government Circular 3/2013 Development Management Procedures; and include:

- Emerging Development Plan Policy;
- Scottish Government policy;
- The National Planning Framework;
- Scottish Planning Policy
- Scottish Government Planning Advice Notes and Circulars;

These matters will be given due consideration in this Planning Application Statement.

2 EXISTING SITE CONDITIONS

2.1 Background

Limestone has been worked at Shierglas for over 70 years with Breedon having operated the site since 2010. The site currently operates under planning permission reference 18/00344/FLL granted on 22 June 2018. This permission allows for operations at the site to continue unto 21 February 2042 and includes permission for the operation of the existing asphalt plant.

As described previously the asphalt plant primarily uses aggregates and crush rock fines produced at the quarry to manufacture coated roadstone for use in road construction and maintenance but is aged and requires replacement. The quarry is situated in an ideal strategic location on the A9 for both the ongoing dualling project and future maintenance of the road, minimising haulage distances and maximising the use of the sites existing mineral reserve in accordance with environmental objectives.

During normal operating hours the quarry is accessed via the local road network using the minor road which runs parallel to the A9 between the site and the Village of Killiecrankie where it joins the B8079.

Essential night time repairs and maintenance on the trunk road network require the operation of the asphalt plant outwith normal operating hours. Access for night time operations take place via the sites direct access to and from the A9 via a non-standard junction under a three-way traffic light system. Given this night time operations and access take place through agreement with Perth & Kinross Council and Transport Scotland.

As part of the A9 dualling project it is proposed to create a new access road from the west of the quarry to facilitate direct access to and from the A9 for northbound traffic. Once this new access road is built the current access road will be blocked off and all access to and from the site will be from the A9.

2.2 The Proposed Site

The proposed site is currently comprised of a derelict steading, joiner's yard, agricultural field, and timber extraction roadway which lies immediately within and to the east/north-east of the permitted quarry site, comprising approximately 1.6 ha as shown in JPB Drawing VG235/PA/F/02. Elevations across the site vary from circa 164m AOD in the south to circa 142m AOD in the north. The site area can be broken down to the following land uses:

- Joiner's yard and derelict steading comprising circa 0.3 hectares;
- Timber extraction roadway and area disturbed by quarrying activities comprising 0.8 hectares.
- Undisturbed agricultural field comprising circa 0.5 hectares.

The joiner's yard contains the existing Shierglas Steading which is a Grade C listed building but is in a ruinous state and beyond repair. It is understood that permission is currently being sought to demolish this building.



Plate 1 – View of Joiners Yard and existing Sheirglas Steading, looking west.



Plate 2 – View from eastern edge of joiner's yard, looking towards undisturbed agricultural field

3 THE PROPOSED DEVELOPMENT

3.1 Site Establishment Works

Prior to the relocation of the plant, the Site must first be prepared. This will involve the following works:

- Demolition of the existing Shierglas Steading and clearance of joiner's yard.
- The regrading of the site to proposed operational levels as shown in JPB Drawing VG235/PA/F/03. At present site elevations currently range from 164 m AOD in the south of the site to 142 m AOD in the north. Regrading of the site would take place using a dozer to create a flat area for operations to take place, whilst ensuring that the surrounding slopes are at a stable angle. This will result in the operational area at elevations of circa 148/149 m AOD. Soils will be placed on the regraded site batters with any excess overburden materials placed in the quarry landscape mound to the south.

It is proposed to relocate the asphalt plant and associated structures to the site from Loak Farm comprising:

- Cold feed bins and storage bays where aggregates are stored prior to use;
- Bitumen Tanks and fuel tanks;
- Asphalt plant including, burner/dryer; Baghouse/particulate filter and stack, materials mixing tower

The plant layout and elevations are shown on JPB Drawings VG235/PA/F/03 & 04.



Plate 3 – View of Plant currently located at Loak Farm



Plate 4 – View of Plant currently located at Loak Farm

3.1 Demolition of Existing Facilities & Reuse of Hot Storage

Once the replacement plant is operational the majority of the current asphalt plant at the site will be demolished with the exception of the hot storage which will be retained and relocated to the new development area, as shown on JPB Drawing VG235/PA/F/03.

3.2 Plant Operations

The manufacture of asphalt at the site will take place generally as follows:

- Tankers will deliver bitumen and limestone filler which will be conveyed to the plant silos and bitumen tanks via sealed pipework.
- Stone and crush rock fines from the quarry stocking area will be transported to the Site by dump truck and stored in external bays ready for use. The stone and crush rock fines will then be fed into the aggregate storage bins within the plant by wheeled loading shovel as required.
- Asphalt will be manufactured within the asphalt plant by the heating of stone/crush rock fines prior to mixing with bitumen and filler to produce the product.
- The product will then be placed into hot storage bins within the plant for later use or discharged immediately into road going vehicles for delivery to the point of use.
- Asphalt dispatch will be carried out by in 18 to 28 tonne loads via Heavy Goods Vehicle.

3.3 Despatch and Sales

Vehicles will regularly be weighed on entering and leaving the Site using a weighbridge sited as shown on JPB Drawing VG235/PA/F/03. On entering the Site, vehicles shall progress to the asphalt plant for loading.

Once loaded, during normal daytime operations vehicles will leave the quarry via the existing access along the minor road which runs parallel to the A9 to the Village of Killiecrankie where it joins the B8079.

During trunk road maintenance work at night lorries will enter and exit the Shierglas site via the direct access to the A9.

Quarry production will remain consistent with the present, output of approximately between 120,000 and 150,000 tonnes per annum, asphalt sales will make up a proportion of this volume but will vary from year-to-year dependant on demand.

3.4 Hours of Operation

Condition 7 of Planning Permission 18/003/44/FLL states;

“Except in emergencies to maintain safe quarry working which shall be notified to the Planning Authority as soon as practicable or unless the Planning Authority has agreed otherwise in writing no operations other than water pumping, servicing, maintenance and testing of plant shall be carried out at the quarry except between the following times”-

*0600 hours and 2100 hours Monday to Sunday
Milling of limestone (the automated process) shall be on a 24-hour basis.”*

Condition 8 of Planning Permission 18/003/44/FLL states;

“Despatch of Aggregates no lorries shall leave or enter the site except between the following times –

0600 hours to 2100 hours Monday to Sunday.”

It is proposed that the asphalt plant will continue to operate in accordance with these permitted hours for normal daytime operations.

Night time operations and access outside these hours would take place using the direct access to the A9 carried out through agreement with Perth & Kinross Council and Transport Scotland under traffic lights as at present.

The site will be connected directly to the A9 as part of the dualling project. At this stage all deliveries will take place via the A9 which given the low noise levels from overnight asphalt operations should facilitate night time operations without the need for separate agreement.

3.5 Water Management

Water will be managed through an extension to the existing water management system at the quarry which employs SUDS. This is shown indicatively in JPB Drawing VG235/PA/F/03. Water from the Site will be channelled through a ditch around the north-eastern boundary of the asphalt plant area into two connected ponds located in the north of the Site near the weighbridge. Silts and fines will settle out along the ditch and in these ponds before the water is fed into the existing quarry water management system via a small channel and pipe. Here it will be settled by the series of further settlement ponds before discharge.

3.6 Site Restoration

The proposals provide for the existing permitted Shierglas Quarry restoration scheme to be updated to include the proposed asphalt plant area.

On completion of mineral extraction at Shierglas it is proposed that the asphalt plant area be regraded soiled and seeded to native grassland using grass species such as Common Bent, Red Fescue, Sheep's-fescue and Quaking grass, as per the landscape mound area to the immediate south. As a result, the site will be assimilated with the surrounding landform. The proposals are shown on Drawings SHIER30 Proposed Asphalt Area: Restoration Plan and SHIER31 Overall Quarry: Concept Restoration Plan.

4 ENVIRONMENTAL CONSIDERATIONS

The majority of the Site is previously disturbed land with a small area of undisturbed agricultural land (0.5 ha) which limits the potential for impacts. Relevant environmental studies and information have however been prepared to support the proposals. In this regard:

- An Environmental Noise Impact Assessment is included as Appendix 1;
- A Landscape and Visual Appraisal and Photomontages from selected viewpoints is included as Appendix 2;
- A Water Management System is incorporated into the proposal in Drawing VG235/PA/F/03; and
- The existing permitted Shierglas restoration scheme has been updated to include the proposed asphalt plant area as detailed in SHIER30 Proposed Asphalt Area: Restoration Plan and SHIER31 Overall Quarry: Concept Restoration Plan.

5 PLANNING POLICY & MATERIAL CONSIDERATIONS

This section of the Planning Application Statement identifies the Development Plan policies which are relevant to the Proposal together with other documents which are considered to be material considerations in determining the planning application.

Although the proposal is not directly for mineral extraction it is for ancillary development on land adjacent to Shierglas Quarry using materials produced at Shierglas Quarry to manufacture coated roadstone. It is therefore considered that policy and guidance governing mineral workings is most pertinent to the proposal.

The relevant parts of the Development Plan for the area comprise:

- Tayplan – Strategic Development Plan
- Perth and Kinross Local Development Plan 2, November 2019

Policies relevant to the proposals are considered further in Section 5.1 below.

In accordance with guidance contained in Annex A of Circular 3/2013 Development Management Procedures it is considered that the following documents represent material considerations:

- LDP Draft Supplementary Guidance: Mineral Resources, January 2018;
- The National Planning Framework;
- Scottish Planning Policy;
- Planning Advice Note 50 – Controlling the Environmental Effects of Surface Mineral Workings Annexes A & B;
- Planning Advice Note 64 – Reclamation of Surface Mineral Workings;
- Draft National Planning Framework 4

The relevant provisions of these documents are detailed in Section 5.2 below.

5.1 TAYplan – Strategic Development Plan 2016 – 2036

TAYplan sets the overall planning vision for the next 20 years for the whole Dundee and Perth area, including North Fife and parts of Angus and Perth and Kinross. The policies within the plan explain where development should go and how it will shape good quality places. Growing and strengthening the TAYplan economy is a key priority. Positively encouraging investment, creating new jobs and better connecting places to make it easier for people to move around, is all essential to achieve a stronger economy.

The Plan sets out a spatial strategy to deliver a sustainable pattern of development in order to deliver the vision and the outcomes which underpin it. In respect of mineral development, the plan provides that:

“Land should be identified through Local Development Plans to ensure responsible management of TAYplan’s assets by..... using the location priorities set out in Policy 1 of this Plan to.... “Maintain a minimum of 10 years supply of construction aggregates at all times in all market areas”.

5.2 Perth and Kinross Local Development Plan 2

The LDP sets out how the Council will aim to work towards their vision for Perth and Kinross. It shows which land is being allocated to meet the area’s development needs to 2029 and beyond and sets out the planning policies to be applied in promoting the sustainable economic growth of the area over this period.

The policies aim to give clear guidance on where development will be encouraged, and also where and in what circumstances it will not be permitted.

The LDP provides policy guidance in respect of consideration of all developments. Policy 49: Minerals and Other Extractive Activities – Supply is most relevant to the development and is detailed in table 5.1 below.

Table 5.1 Development Principles and Minerals Policies

<p>Policy 49: Minerals and Other Extractive Activities – Supply</p>	<p>Policy 49A: Extraction Favourable consideration will be given to proposals for the extraction of minerals, where: (a) it can be demonstrated that there are local, regional and/or national market efficiency at existing workings or other alternative sources; or (b) it would assist in maintaining, as a minimum, a ten-year landbank of permitted reserves for aggregates within a recognised market area.</p> <p>And in all cases, their impact on local communities and the environment has been assessed and does not have an adverse residual effect after appropriate mitigation having regard to:</p> <ul style="list-style-type: none"> (i) the effect on local communities, individual houses, sensitive receptors and neighbouring land uses by reason of disturbance, noise, dust, blasting, vibration or other pollution or disturbance; (ii) the effect on landscape and visual impact of the proposals; (iii) the transport implications (including the strategic trunk road and rail network), and in particular the scale and nature of traffic likely to be generated, and its implications for site access, road capacity, road safety, and the environment generally; (iv) the effect on the quality and quantity of water environment including the ecology of watercourses and wetlands, and on water supply and flood protection interests; (v) the effect on natural heritage, habitats and the historic environment; (vi) ensuring there are no unacceptable adverse cumulative impacts arising from development proposals; and (vii) ensuring there are no adverse effects on the integrity of a European designated site(s). <p>Note: A Waste Management Plan must be submitted as part of any application for planning permission.</p> <p>Policy 49B: Restoration Restoration, after-use and aftercare proposals will require to be agreed in advance of operations; modifications to conserve locally or nationally important geological sections will be supported and encouraged. Operators are encouraged to consider after-uses that would add to the cultural, recreational and environmental assets of the area. After excavation ceases, restoration will be completed in the shortest time practicable. Appropriate 'on demand' financial bonds for restoration will be required.</p> <p>Note: Detailed advice about the full range of financial guarantees that may be used to secure restoration will be contained within separate Supplementary Guidance. Requirements for the mineral that cannot be satisfied by greater</p>
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The LDP contains a range of other policies which are of relevance to the determination of the planning application.

Table 5.2 Other Perth & Kinross LDP Policies

Policy Reference	Subject/Topic
Policy 26	Scheduled Monuments and Archaeology
Policy 27	Listed Buildings
Policy 39	Landscape
Policy 41	Biodiversity
Policy 53A & C	Water Environment and Drainage

5.3 Material Considerations

5.3.1 National Planning Framework for Scotland 3, June 2014

The National Planning Framework (NPF 3) published in June 2014 is a long-term strategy for Scotland. It is the spatial expression of the Government Economic Strategy, and it is for development and investment in infrastructure. NPF identifies national developments and other strategically important development opportunities in Scotland.

Due to the nature of the document which sets out specific strategic developments and priorities rather than priorities for categories of development reference to the use of construction materials is limited. However, NPF confirms “our environment is more than a recreational resource... We will also need construction materials”. NPF notes in particular that minerals will be required as construction materials to support our ambition for diversification of the energy mix.

5.3.2 Scottish Planning Policy, June 2014 (Revised 2020)

The purpose of the Scottish Planning Policy (SPP) is to set out national planning policies which reflect Scottish Ministers’ priorities for operation of the planning system and for the development and use of land. The SPP promotes consistency in the application of policy across Scotland whilst allowing sufficient flexibility to reflect local circumstances.

SPP recognises the important contribution the extraction of construction minerals makes to sustainable economic growth and that resources should be protected from other forms of development which may sterilise them with adequate supplies maintained. In this regard Paragraph 234 of SPP states that “Minerals make an important contribution to the economy, providing materials for construction, energy supply and other uses, and supporting employment. Paragraph 235 of SPP goes on to state that “The planning system should safeguard workable resources and ensure that an adequate and steady supply is available to meet the needs of the construction, energy and other sectors”.

Paragraph 237 states that “Plans should set out the factors that specific proposals will need to address, including:

- disturbance, disruption and noise, blasting and vibration, and potential pollution of land, air and water;
- impacts on local communities, individual houses, sensitive receptors and economic sectors important to the local economy;
- benefits to the local and national economy;
- cumulative impact with other mineral and landfill sites in the area;
- effects on natural heritage, habitats and the historic environment;
- landscape and visual impacts, including cumulative effects;
- transport impacts; and
- restoration and aftercare (including any benefits in terms of the remediation of existing areas of dereliction or instability).

Furthermore, SPP recognises and promotes the need for Strategic Development Plans and Local Development Plans to provide for a steady supply of construction aggregates to meet the developments needs of the market area. In this regard Paragraph 236 of SPP “states that Strategic Development Plans should ensure that adequate supplies of construction aggregates can be made available from within the plan area to meet the likely development needs of the city region over the plan period “whilst Paragraph 237 confirms that “Local development plans should safeguard all workable mineral resources which are of economic or conservation value and ensure that these are not sterilised by other development.” Paragraph 238 states that “Plans should support the maintenance of a landbank of permitted reserves for construction aggregates of at least 10 years at all times in all market areas”.

5.3.3 Planning Advice Note 50 – Controlling the Environmental Effects of Surface Mineral Workings and Annexes.

This PAN deals generally with the environmental effects of surface mineral working and provides the framework for detailed advice in a series of annexes on particular aspects. Of particular relevance are Annex A, Noise and Annex B, Dust.

5.3.4 Planning Advice Note 64: Reclamation of Surface Mineral Workings

This advice note aims to help planning authorities and operators improve the reclamation of surface mineral workings by building on existing experience and where appropriate disseminating and improving best practice.

5.3.5 Scotland 2045 Our Fourth National Planning Framework

The Draft Fourth National Planning Framework (Draft NPF4), which details the long-term plan for what Scotland could be in 2045, was laid in Parliament on 10 November 2021.

Once approved by the Scottish Parliament and adopted by the Scottish Ministers (expected during 2022), this plan will become part of the statutory development plan and will directly influence planning decisions.

The amended Town and Country Planning (Scotland) Act 1997 directs that the National Planning Framework must contribute to a series of six outcomes: improving the health and wellbeing of our people; increasing the population of rural areas; meeting housing needs; improving equality and eliminating discrimination; meeting targets for emissions of greenhouse gases; and securing positive effects for biodiversity.

Part 3 sets out policies for the development and use of land which are to be applied in the preparation of local development plans; local place plans; masterplans and briefs; and for determining the range of planning consents. This part should be taken as a whole, and all relevant policies should be applied to each application. This effectively replaces SPP.

In terms of minerals Part 3 states:

We want to support the sustainable management of resources and to minimise the impacts of extraction of minerals on communities and the environment. The extraction and use of minerals makes an essential contribution to the Scottish economy by providing important raw materials for manufacturing, construction, agriculture and other industries. The planning system should safeguard important mineral resources and ensure that sufficient resources are available to meet the demands of industry in a way that minimises the impacts of extraction on the environment and local communities

Draft Policy 22: Minerals goes on to state:

a) *Local development plans should support the 10-year landbank at all times in the relevant market areas, whilst promoting sustainable resource management, safeguarding important workable mineral resources, which are of economic or conservation value, and take steps to ensure these are not sterilised by other types of development*

d) *Extraction criteria: Development proposals for the sustainable extraction of aggregates should be supported where they:*

- *will not result in adverse impacts on biodiversity and the natural environment, sensitive habitats and the historic environment, as well as landscape and visual impacts;*
- *provide an adequate buffer zone between sites and settlements taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, and the characteristics of the various environmental effects likely to arise;*
- *demonstrate acceptable impacts (including cumulative impact) on any nearby homes, local communities and known sensitive receptors and designations;*
- *demonstrate acceptable levels (including cumulative impact) of noise, dust, vibration and potential pollution of land, air and water;*
- *minimise transport impacts through the number and length of lorry trips and by using rail or water transport wherever practical;*
- *have appropriate mitigation plans in place for any adverse impacts;*
- *include schemes for a high standard of restoration and aftercare and commitment that such work is undertaken at the earliest opportunity. As a further safeguard a range of financial guarantee options are available and the most effective solution should be considered and agreed on a site-by-site basis. Solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms.*

6 PLANNING POLICY APPRAISAL

Following identification of the Development Plan policies which are relevant to the Proposal together with other documents which are considered to be material considerations in determining the planning application this section of the proposal appraises compliance with the Development Plan. In order to do this the planning policy and material considerations which are relevant to the determination of this planning application have been split down and considered by topic below.

6.1 Need and Economic Benefit

Perth and Kinross LDP Policy	Material Considerations
Policy 49: Minerals and Other Extractive Activities – Supply	Scottish Planning Policy Paragraphs 235, 236, 237 & 238; Draft NPP4 Policy 22.

Shierglas Quarry is situated in a strategic location on the A9, however the existing asphalt plant at the site is aged and requires replacement. The provision of an efficient modern asphalt at this location will make an important contribution to both the A9 dualling project and the future maintenance of the road, thereafter, providing a local source of asphalt to the road network minimising transport distances and environmental impact.

Furthermore, the development will allow the business to continue to support the employment of 7 people directly employed at the site, as well as a number of hauliers employed indirectly who distribute the product to the market together with support staff employed by Breedon in the surrounding Fife and Tayside area.

Given the above, it is considered there is a proven need for the development and that the proposals are fully in accordance with the Development Plan and relevant Scottish Government guidance and policy.

6.2 Hydrology

Perth and Kinross LDP Policy	Material Consideration
Policy 49: Minerals and Other Extractive Activities – Supply; Policy 53: Water Environment and Drainage	Scottish Planning Policy Paragraph 237 and 268; Draft NPP4 Policy 22.

Paragraph 268 of SPP provides that SuDS arrangements should be adequate for the development as proposed. Policy 53 of the LDP provides that development at any scale should protect and the water environment and employ SuDS, whilst Policy 49 of the LDP requires there not to be a detrimental the effect on the quality and quantity of water environment including the ecology of watercourses and wetlands, and on water supply and flood protection interests.

Water will be managed through an extension to the existing water management system at the quarry which employs SuDS. This is shown indicatively in JPB Drawing VG235/PA/F/03. Water from the Site will be channelled through a ditch around the north eastern boundary of the asphalt plant area into two connected ponds located in the north of the Site near the weighbridge. Silts and fines will settle out along the ditch and in these ponds before the water is fed into the existing quarry water management system via a small channel and pipe. Here it will be settled by the series of further settlement ponds before discharge.

It is therefore considered that water will be suitably managed within the site as a result of the proposals and that the proposed development is fully in accordance with the Development Plan.

6.3 Ecology

Perth and Kinross LDP Policy	Material Considerations
Policy 49: Minerals and Other Extractive Activities – Supply; Policy 41: Biodiversity	Scottish Planning Policy Paragraphs 203; 237; Draft NPP4 Policy 22.

LDP Policies 41 and 49 of the LDP require development to minimise impacts upon habitats and protected species.

The Site area can be broken down to the following land uses:

- Joiner’s yard and derelict steading comprising circa 0.3 hectares;
- Area disturbed by quarrying activities and timber extraction circa 0.8 hectares in size; and
- Undisturbed agricultural field comprising circa 0.5 hectares.

The majority of the Site is previously disturbed land with a small area of undisturbed agricultural land (0.5 ha). Potential impacts upon habitats and biodiversity will therefore be limited. It is however understood that a protected species check will be undertaken in respect of the Site and derelict steading before works commence on site to ensure any potential impacts are mitigated.

Given the above the proposal is considered to be fully in accordance with the Development Plan, and relevant Scottish Government guidance and policy.

6.4 Noise

Perth and Kinross LDP Policy	Material Consideration
Policy 49: Minerals and Other Extractive Activities – Supply;	Scottish Planning Policy Paragraph 237; Planning Advice Note 50 Annex A; Draft NPP4 Policy 22.

LDP Policy 49 requires noise from quarrying not have a negative adverse effect on surrounding properties. Noise from existing site operations is governed by Condition 11 of the existing planning permission for Shierglas Quarry (Ref 18/00344/FLL) which states:

“Noise from the site shall not exceed 55dB(A) at the nearest noise sensitive property, except during periods of development of up to eight weeks in any twelve month period, where with the prior written approval of the Planning Authority, in consultation with Protective Services, levels up to 70dB(A) at the nearest noise sensitive property may be permitted.”

An Environmental Noise Assessment in relation to the proposed development has been undertaken by specialist consultants Vibrock Limited. A report detailing this assessment is contained within Appendix 1. The findings of this assessment are summarised as follows:

The only receptor considered in the updated noise prediction calculation is Strathgarry House to the east of the quarry, as this is the only property with the potential for a greater noise impact due to a reduced separation distance.

During daytime operations worst-case noise levels of 47 to 49 dB LAeq,1h, are predicted when the proposed asphalt plant and the existing permitted quarry site are operational. As a result the limit of 55 dB LAeq,1h outlined in Condition 11 of Planning Consent, Ref 18/00344/FLL will be comfortably met.

It is anticipated that the asphalt plant would also operate at night under agreement with Perth and Kinross Council in the same way as the existing asphalt plant within the site operates at present. Night time operations are limited solely to the asphalt plant and associated vehicle movements and in this scenario a worst-case noise level of 39 dB LAeq,1h is predicted.

Planning Advice Note 50 Annex A provides guidance on acceptable night time noise limits from mineral related operations and this level would be 3 dB(A) below the night-time recommended limit within this guidance of 42 dB LAeq,1h.

Given the above, the asphalt plant should be operated without significant impact.

The proposal is therefore considered to be fully in accordance with the Development Plan, and relevant Scottish Government guidance and policy

6.5 Air Quality

Perth and Kinross LDP Policy	Material Consideration
Policy 49: Minerals and Other Extractive Activities - Supply.	Scottish Planning Policy Paragraph 237; Planning Advice Note 50 Annex B; Draft NPP4 Policy 22.

Policy 49 requires the effect of a development on general air quality and on residential properties and neighbouring land users to be considered.

The publication entitled “*The Environmental Effects of Dust from Mineral Workings*” (HMSO 1995) provides advice on the sensitivity of receptors to dust. The report advises that receptors with a standoff of less than 100m to quarrying activities are considered as being the highest risk in terms of dust sensitivity, receptors 150m-200m away as being of medium risk and receptors from 200m-250m to dust emitting sources have a low risk of dust sensitivity.

There are no sensitive receptors within 250m of proposed activities of the Site. The closest property to proposed location is approximately 500m to the east of the proposed plant area. All receptors of therefore of low sensitivity.

Existing site operations are controlled by condition 13 of planning permission Ref 18/00344/FLL which states;

“At all times during the carrying out of operations authorised or required by this planning permission, and in addition to requirements covered by EPA authorisation, the following dust control scheme, in accordance with the guidance given in PAN 50 Annex B, shall be implemented to the satisfaction of the Planning Authority:

- a) *Portable water sprayers shall be maintained on site and shall be used to minimise dust on haul roads;*
- b) *All vehicles used for the movement of materials within the site shall be equipped with exhausts pointing away from the ground;*
- c) *All relevant heavy plant shall be fitted with radiator fan deflector plates.*
- d) *Drilling rigs shall be fitted with efficient dust control measures;*
- e) *If, in extreme adverse conditions the aforementioned measures are not adequate, the following action shall be taken;*
 - a. *Restriction on the speed of vehicles on site*
 - b. *Temporary re-routing of vehicles on site.*
 - c. *Temporary cessation of activities giving rise to concern.*
- f) *In the event of a complaint concerning dust emission, the site manager shall immediately investigate and implement any necessary remedial measures.”*

The measures detailed above including the provision of water sprays and contingencies in the event of adverse conditions or operations would also apply to the proposed asphalt plant area.

In terms of the manufacturing process itself the plant would be operated under a Pollution Prevention and Control Permit from SEPA which would regulate emissions from the site. Furthermore:

- Once the material is placed in the feed hoppers further movement is by conveyor, which is recognised as a means of moving material with a very low potential for dust emission.

- The production of coated roadstone materials takes place within the plant building which greatly minimises the potential for dust emissions. The drier, which can create dust, has an integral dust arrestment system to minimise emissions to atmosphere.
- Once the crushed rock fines and aggregates are mixed with bitumen there is a negligible potential for the generation of dust.

Dust and air quality impacts will therefore be well control and the proposal is considered to be fully in accordance with the Development Plan, and relevant Scottish Government guidance and policy.

6.6 Landscape & Visual

Perth and Kinross LDP Policy	Material Considerations
Policy 49: Minerals and Other Extractive Activities – Supply; Policy 39: Landscape	Scottish Planning Policy Paragraph 237; PAN 64: Reclamation of Surface Mineral Workings; Draft NPP4 Policy 22.

Policy 49 of the LDP requires the effect on landscape and visual impact of the proposals to be considered whilst Policy 39 requires that development and land use change should be compatible with the distinctive characteristics and features of Perth and Kinross' landscapes.

A Landscape and Visual Impact Appraisal in respect of the proposed development is contained in Appendix 2.

The appraisal confirms that:

he proposed development is adjacent to the larger Shierglas Quarry and although landscape sensitivity is considered medium the magnitude of landscape change is considered low. As a result, landscape Impacts/effects are predicted to be minor. No predicted landscape impacts/effects are considered to fall within the significant range.

Visual sensitivity from assessed viewpoints ranges from high to medium. The magnitude of visual change however ranges from low to very low. As a result, visual impacts/effects range from moderate to minor. No predicted visual impacts/effects are considered to fall within the significant range.

Given the above, the proposal is considered to be fully in accordance with the Local Development Plan and relevant Scottish Government guidance and policy.

6.7 Site Restoration

Perth and Kinross LDP Policy	Material Considerations
Policy 49: Minerals and Other Extractive Activities – Supply.	Scottish Planning Policy Paragraph 237; PAN 64: Reclamation of Surface Mineral Workings; Draft SG Mineral Resources; Draft NPP4 Policy 22.

LDP Policy 49 requires after-use and aftercare proposals for minerals development to be agreed in advance of operations. Planning Advice Note 64: Reclamation of Surface Mineral Workings (PAN 64) is the main guidance, with regard to quarry restoration and it is the intention of the applicant to implement the advice contained therein.

The proposals update the existing permitted Shierglas Quarry restoration scheme to include the proposed Site.

On completion of mineral extraction at Shierglas it is proposed that the asphalt plant area be regraded soiled and seeded to native grassland using grass species such as Common Bent, Red Fescue, Sheep's-fescue and Quaking grass, as per the landscape mound area to the immediate south. As a result, the site will be assimilated with the surrounding landform.

Given the above the proposal is considered to be fully in accordance with the Development Plan.

6.8 Cultural Heritage

Perth and Kinross LDP Policy	Material Considerations
Policy 49: Minerals and Other Extractive Activities – Supply; Policy 26: Scheduled Monuments and Archaeology; Policy 27: Listed Buildings.	Planning Policy Paragraph 237. Draft NPP4 Policy 22.

The historic environment needs to be considered in accordance with Policy 49 of the LDP and the effect upon listed buildings also need to be considered in accordance with Policies 26 and 27 of the LDP. The Site area can be broken down to the following land uses:

- Joiner's yard and derelict Category C Listed steading comprising circa 0.3 hectares of ground;
- Undisturbed agricultural field comprising circa 0.5 hectares,
- Area disturbed by quarrying activities and timber extraction 0.8 hectares.

There is little potential for direct cultural heritage impacts beyond those associated with the listed steading which is understood to be structurally beyond repair and is subject to a separate planning application for demolition. Given the condition of the building it is considered its demolition is in accordance with the Development Plan.

In terms of impacts on the setting of offsite cultural heritage assets the following SMR's and listed buildings are within 1km of the site.

- Shierglas Farmhouse Category B Listed Building to the north of the Site adjacent to the existing site access road and the A9.
- Creag Odhar, SMR comprising a dun of prehistoric date, in excess of 550m to the south west of the site.
- Limekiln Near Essingal Category B Listed Structure 730m East of the site.

The proposed development will result small extension to the disturbed area of the site and the introduction of replacement plant and machinery seen in the context of the existing quarrying development and the removal of the existing asphalt plant. This is illustrated by the Landscape and Visual Appraisal which confirms the magnitude of visual change as a result of the development ranges from low to Very low with visual impacts/effects ranging from moderate to minor. No predicted visual impacts/effects are considered to fall within the Significant range.

Given the above, it is considered that setting impacts will not be significant.

The proposal is therefore considered to be fully in accordance with the Local Development Plan and relevant Scottish Government guidance and policy.

6.9 Transport and Access

Perth and Kinross LDP Policy	Material Considerations
Policy 49: Minerals and Other Extractive Activities – Supply;	Scottish Planning Policy Paragraph 237 and 270; Draft NPP4 Policy 22.

LDP Policy 49 requires the transport implications of a development to be considered and in particular the scale and nature of traffic likely to be generated.

During normal operating hours the quarry is accessed via the local road network using the minor road which runs parallel to the A9 between the site and the village of Killiecrankie where it joins the B8079.

Essential night time repairs and maintenance on the trunk road network require the operation of the asphalt plant outwith normal operating hours. Access for night time operations take place via the

sites direct access to and from the A9 via a non-standard junction under a three-way traffic light system. Given this night time operations and access take place through agreement with Perth & Kinross Council and Transport Scotland.

No changes to these arrangements are proposed until direct access to the A9 is provided as a result of the dualling project.

The quarry currently sells in the region of 120,000 to 150,000 tonnes of aggregates, concrete, asphalt and lime per annum. There will be no change in production levels, site access, the duration of operations, or the number of vehicle movements to and from site as a result of the development. There will therefore be no significant impacts as a result of the development.

Given the above, the proposal is considered to be fully in accordance with the Local Development Plan and relevant Scottish Government guidance and policy.

7 CONCLUSIONS

The environmental impacts of the proposal have been fully considered and the environmental studies which accompany this application and are summarised above confirm that with appropriate mitigation in place the proposals can be carried out without significant environmental impact.

A planning policy appraisal has been undertaken taking into account the findings of the environmental studies. This policy appraisal confirms that the proposals generally accord with the Development Plan and other relevant material considerations and should be supported.

In this regard, it is considered the proposals are acceptable both in planning terms and in respect of their impact upon the environment.