

Agenda Item	6.1
Report No	PLS/34/24

HIGHLAND COUNCIL

Committee: South Planning Applications Committee

Date: 18 June 2024

Report Title: 21/05841/S42: Aggregate Industries UK Ltd
Glensanda Quarry, Glensanda, Morvern, Oban, PA80 5QB

Report By: Area Planning Manager – South

Purpose / Executive Summary

Description: Continue to develop Glensanda Quarry without complying with Condition 16 of planning permission 05/00334/FULLO in so far as it relates to the construction of a screen mound

Ward: 21 – Fort William and Ardnamurchan

Development category: Major Development

Pre-Determination Hearing: No

Reason referred to Committee: Major Development

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

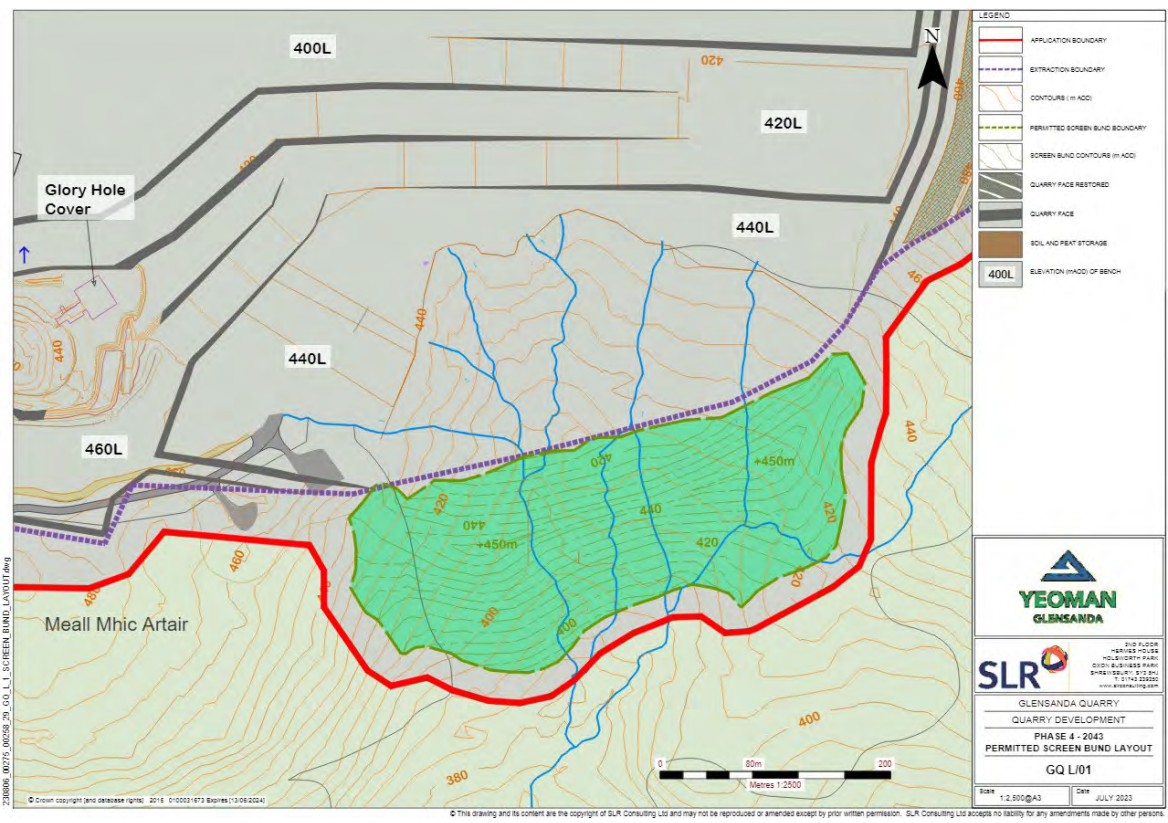
Recommendation

Members are asked to agree the recommendation to **GRANT** the application as set out in Section 11 of the report.

1. PROPOSED DEVELOPMENT

1.1 This application has been submitted under Section 42 of the Planning (Scotland) Acts and relates to Condition 16 of planning permission 05/00334/FULLO (the extant permission) granted on 28 September 2007 for the extension of Glensanda Quarry. The applicant seeks to remove the requirement imposed through Condition 16 to form a screening bund at the south eastern edge of the quarry working area as its formation is no longer considered by the applicant to be a suitable proposal. Appendix 1 provides a copy of the extant planning permission.

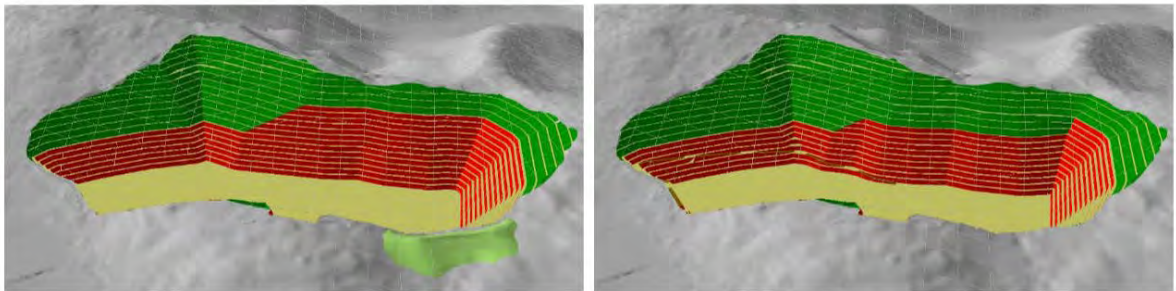
1.2 Condition 16 of the extant permission restricts mineral extraction below the elevation of 460 meters Above Ordnance Datum (AOD) within the eastern expansion area until the landscape screening bund has been formed. This southern permanent bund was intended to be up to 40 meters in height, covering a 6.7ha area, measuring 477m x 189m with a gradient of 1:8, with its function being to help limit the number of upper quarry faces that needed to be restored. It was intended to be formed of extracted material, including around 2 to 3 million tonnes of rock deposited for a 5 year period, within a shallow valley where there is less natural screening of the quarry. Its formation would also necessitate the culverting of a watercourse (Allt na h-Easaiche) and its tributaries located within the valley. The bund was intended to marry with the adjacent landform and provide screening of the quarry extension from long distance views from the south. The permitted screening bund's layout is shown on Dwg No. GQ L/01 provided below (shaded darker green):



1.3 To compensate and mitigate the potential visual effects arising from this bund not being formed, amendments to the form and restoration of some of the upper quarry faces to continue the approved 'roll over slopes' on lower faces within the quarry void area also being proposed. This form of restoration has taken place to date on

the upper quarry faces to date above an elevation of 400m AOD along the northern side of the quarry. It involves the placement of soils on the final position of the quarry benches, with these areas then being seeded and planted to encourage growth of vegetation to reduce the effects of leaving sub-vertical quarry faces. Figure 3-4 below illustrates the proposed increased extent of upper quarry face restoration (the shaded dark green areas):

Figure 3-4
Illustration of the extent of approved (left) and proposed (right) face restoration



- 1.4 To enable this form of restoration to continue down to a lower elevation, minor amendments to the approved quarry's maximum extraction profile are also proposed. To facilitate restoration wider quarry benches are needed, being around 26m in width, with quarry faces occupying 20m being at typically 36 degrees and the residual restored bench width being 6m, resulting in more rock to be left unworked within the quarry. The overall size of the final worked out quarry void would therefore be reduced with around 20 million tonnes of rock being left in situ, which is currently consented for extraction. The amendments proposed are wholly within the approved extraction limit with no lateral extension of the quarry being proposed. The application therefore also seeks consequential amendments to Condition 4 of the extant permission, which requires adherence to the former Environmental Statement and approved plans, with these to be superseded with the application proposing a new set of development drawings with a new suite of consolidated planning conditions.
- 1.5 All mineral extraction which has taken place to date is contained within the previously approved extraction limits. The remaining phases involve the continuation of permitted extraction of rock to an elevation of 200m AOD (e.g. around 300m below original ground levels). Extraction would continue to take the upper rock faces back to their previously approved full lateral extent, with the current working faces being advanced in a north easterly direction into the Eastern Extension Area, which was approved in 2007, with a substantial area still to be worked.
- 1.6 A series of overview development plan phasing drawings have been created for the next circa 25 years at 5 yearly snapshot intervals, which have assumed the continuation of the average extraction rate of between 6 and 7 million tonnes per annum, albeit that the maximum extraction rate would remain up to 15 million tonnes per annum:
- Phase 1 (Year 5) – Involves working the eastern extension area back to its full lateral extent between an elevation of 420m to 520m AOD, with the formation of 20m high quarry faces. Around 22,100m² of soils would be

stripped and retained on site, with restoration roll over slopes continue along the north faces and commence along the upper eastern faces.

- Phase 2 (Year 10) – Working levels above 460m AOD would have reached the design limits, and a series of restoration slopes created.
- Phase 3 (Year 15) – Working levels above 440m AOD would have reached the design limit on the eastern side, with the north eastern corner having reached its 420m AOD design limit. Notable at the end of this phase of working is the creation of conventional quarry faces (with these being steeper at typically 76 degrees), with all of the upper quarry face roll over slopes now having been formed. A new level at 440m would also be created in the western end of the quarry, along with a new quarry sump.
- Phase 4 (Year 20) – Working levels would have reached 400m AOD, with small sections of the 440 and 420m AOD levels remaining at the southern edge.
- Phase 5 (Year 25) – Working levels would have reached their 400m AOD design limit with the higher ground north to the south east of the quarry having been removed, and a lower level at 380m would have been developed by sinking down the quarry floor. During this phase ancillary infrastructure would need to be removed, with the static primary crusher being replaced with a mobile in pit crusher, with conveyors used to transfer the rock to the glory hole. By the end of this phase all phasing drawing levels would have reached their design limits, and the lower down quarry faces being left unrestored, as per the extant permission.

1.7 Beyond this 25 year period, it is anticipated that mineral extraction would continue down to a level of 200m AOD, with the applicant proposing to provide a combined working and restoration scheme, following the information requirements set out in Condition 12 of the extant permission. The quarry void has the potential to either be dry with drainage provide though the glory hole, or to be sealed to allow water to accumulate in the void to form a loch.

1.8 Based on the reported extraction rates within the application, it is estimated that rock reserves at the quarry for over the next 25 years are in the order of 150 to 175 million tonnes. In the longer term, future phases are expected to yield further mineral reserves with the eastern extension's application in 2007 having reported a reserve in the order of 414 million tonnes.

1.9 This application has been supported by the following information:

- Environmental Impact Assessment Report (EIAR), and EIA Supplementary Environmental Information (SEI) which has updated sections of the EIAR. The EIAR and SEI provides: a description of the development, details of alternatives considered, planning policy context, a Landscape and Visual Impact Assessment (LVIA), details of other topics scoped out of EIA, a summary of mitigation measures, and a non-technical summary.
- Planning Statement;
- Glensanda Environmental Monitoring Programme: Terrestrial Monitoring Report 2021;

- Glensanda Environmental Monitoring Programme: Restoration Monitoring Report 2022;
- Vegetation survey of Glensanda Estate, Argyll, June 2013;
- Environmental Management Plan (relating to Condition 3), March 2019; and
- An Extractive Waste Management Plan.

1.10 There have been no variations to the proposed development since the application was lodged, however, SEI has been provided in the form of updated sections of the EIAR. This provides further details of the intended progressive working and restoration of the quarry, additional visualisations and LVIA updates.

2. SITE DESCRIPTION

2.1 The application site is within the wider quarry complex which covers an area of around 615ha on the south western shore of Loch Linnhe, on the Morvern peninsula, approximately 19km north-north west Oban. Glensanda is a unique coastal super quarry which exports high quality granite aggregates to serve the UK and wider European market with all products being exported by sea, via its purpose-built conveyor and tunnel system, jetty and sea carriers.

2.2 The application site itself covers 236ha, which includes the existing quarry extraction area, future areas of working, primary processing area and ancillary infrastructure. The application site is roughly rectangular, measuring 2.3km east to west and 1.4km north to south. The application relates to a smaller 6.7ha area within this wider site, located at the southern boundary of the site where the southern bund was intended to be formed.

2.3 The surrounding area is rural and remote in nature, with predominant land uses being stalking, fishing, agriculture and forestry, with there being residential properties and holiday accommodation 4km to the north east at Kingairloch and on Lismore across Loch Linnhe.

2.4 There are no environmental designations with the application site, nor, with the exception of a scheduled monument (Glensanda Castle), within the wider Quarry complex. Part of the site, including the landscaping bund's location, is identified on NatureScot's Carbon Map as priority 2 peatland habitat. The site is also 4.8km west of the Lynn of Lorn National Scenic Area (NSA), and 5km south west of Ardgour Special Landscape Area (SLA). A further scheduled monument (Airigh Shamhraidh) is located within 3km of the application site, with a further four scheduled monuments and 3 listed buildings being located within 5km. There are other ecological designations within 5km of the application site, but these would not be significantly affected.

3. PLANNING HISTORY

3.1 08.01.2003 02/00189/FULLO - Proposed Removal of Time Planning Limits on Quarrying Planning Permissions Permission LO/1986/167;LO/1989/723;LO/1997/41 and Granted LO/2000/297

3.2	26.10.2004	04/00455/FULLO - Erection of a Covered Storage Building for Dust Material	Planning Permission Granted (TEMPORARY)
3.3	28.10.2005	05/00314/REMLO - Rationalisation of Two Existing Stockpiles into single Product Stockpile and Reconstruction of Shoreline Protection and Public Footpath	Planning Permission Granted (TEMPORARY)
3.4	28.10.2005	05/00315/REMLO - Minor Modification to Stockpile Cover for Dust Storage Capacity Project	Planning Permission Granted (TEMPORARY)
3.5	28.09.2007	05/00334/FULLO - Extension to Quarry	Planning Permission Granted
3.6	12.04.2007	07/00229/FULLO - Continuation of filtercake disposal without compliance with condition 12 of permission LO/1997/41	Planning Permission Granted
3.7	27.07.2007	07/00287/FULLO - Erection of accommodation and mess facilities	Planning Permission Granted
3.8	01.03.2019	17/02597/PAN - Silt storage site and freshwater lagoon including creation of 4no finger lagoons by extraction of 4million tonnes or rock, water pipes, electricity generation and ancillary works	CLOSED
3.9	01.08.2017	17/02847/S42 - Continue the disposal of filtercake without complying with Condition 1 of Planning Permission 07/00229/FULLO	Planning Permission Granted
3.10	01.03.2019	17/03576/PAN - Silt storage site and freshwater lagoon including creation of up to four finger lagoons by extraction of rock, water pipes, electricity generation and ancillary works	CLOSED
3.11	08.09.2017	17/03710/SCOP - Construction and operation of a silt storage site and freshwater lagoon including the creation of up to four "finger lagoons" through the extraction of rock, and the installation of water pipes and electricity generation plant	Scoping Application Decision Issued
3.12	30.04.2018	17/05155/FUL - Formation and operation of up to three finger lagoons and ancillary pipe work by the extraction of rock for the management of silt and installation of 500 kw hydro-electric power plant and associated infrastructure	Planning Permission Granted

3.13	05.03.2018	17/05559/FUL - Extension to the existing filter cake disposal site for the continued disposal of filter cake	Planning Permission Granted
3.14	17.01.2019	18/05348/FUL - Installation of hydro intake weir and formation of access track	Application Withdrawn
3.15	15.04.2019	19/01395/SCRE – Laterally extend the existing filter cake disposal site at Glensanda Quarry	Screening Application EIA Not Required
3.16	19.03.2020	20/00211/FUL - Construction of freshwater lagoon including headwall with abstraction/outfall	Planning Permission Granted

4. PUBLIC PARTICIPATION

4.1 Advertised: Schedule 3 Development / Unknown Neighbour and EIA Development
Date Advertised: 27.01.2022 and 05.10.2023 (Oban Times) and 28.01.2022 and 29.09.2023 (Edinburgh Gazette)
Representation deadline: 4.11.2023
Timeous representations: 1 (in support) 0 (Objections)
Late representations: 0

4.2 Material considerations raised in support are summarised as follows:

- Visual impacts relate to the loch side material handling, storage and local transport activities rather than the quarry excavation itself. The eastward extension of quarrying is unlikely to significantly increase the visual impact of the excavation itself from distant viewpoints to south and east.
- The creation of the screen mound is likely to create greater impact in that it will consist of rock that, despite any attempts at introducing 'soil' material and planting, would stand out against the established heathland.
- Concerns with displaced peat and loss of carbon should the consented bund be formed.

5. CONSULTATIONS

5.1 **Ardgour Community Council (Host)** was consulted but did not provide a consultation response.

5.2 **Appin Community Council (Argyle and Bute)** was consulted but did not provide a consultation response.

5.3 **Lismore Community Council (Argyle and Bute)** do not object to the application, however, has raised concerns regarding the potentially visibility and landscape impact of unrestored faces within the quarry when viewed from Lismore, particularly

the northern end of the island, with their preference being the formation of the landscape screening bund. Particular concerns relate to potential impacts for tourists and locals using western coastal walking routes, at Port Ramsay, and across higher ground.

- 5.4 **Access Officer** does not object to the application. The proposal does not appear to impact on access rights and has no object to the removal of condition relating to the screening mound.
- 5.5 **Environmental Health** does not object to the application. The bund was only intended for visual amenity. If not delivered this should have no effect on noise and vibration levels, especially since the nearest properties are at Kingairloch 4km north and on Lismore 5km south.
- 5.6 **Development Plans Team** does not object to the application. The provide details of the Development Plan framework for assessment, do not raise any concerns and highlight that any landscape and visual effects of the proposal are most likely to be experienced by visual receptors in Argyll and Bute.
- 5.7 **Flood Risk Management Team** does not object to the application.
- 5.8 **Historic Environment Team (Archaeology)** does not object to the application. No sensitive issues or mitigation is recommended.
- 5.9 **Transport Planning Team** do not object to the application. The development is remote from the public road and is unlikely to have any significant impact on the road network.
- 5.10 **Argyll and Bute Council** was consulted but did not provide a consultation response.
- 5.11 **NatureScot** do not object to the application. It appears that this condition was applied due to possible impacts on the Lyne of Lorn NSA, however, continuing with the development without the screening mound will not create additional impacts and will not affect the special qualities of the NSA.
- 5.12 **Historic Environment Scotland** do not object to the application. No significant effects on their interests are identified from the proposed alteration. There are two scheduled monuments in the vicinity but neither have visibility of the development.
- 5.13 **Transport Scotland** does not advise against the grant of planning permission.
- 5.14 **Scottish Environmental Protection Agency (SEPA)** no not object to the application. The screening mound would have affected several tributaries of Allt na h-Easaiche. These tributaries should be managed in line with the approved surface water management scheme for the site, ensuring no pollution runoff from quarry works enters the water environment.
- 5.15 **Scottish Water** do not object to the application.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application:

6.1 National Planning Framework 4 (NPF4) 2023

Policy 1 – Tackling the climate and nature crisis

Policy 2 – Climate mitigation and adaptation

Policy 3 – Biodiversity

Policy 4 – Natural places

Policy 5 – Soils

Policy 7 – Historic assets and places

Policy 13 – Sustainable transport

Policy 22 – Flood risk and water management

Policy 23 – Health and safety

Policy 25 – Community wealth building

Policy 26 – Business and industry

Policy 29 – Rural development

Policy 33 – Minerals

6.2 Highland Wide Local Development Plan 2012

28 - Sustainable Design

29 - Design Quality and Place-making

30 - Physical Constraints

31 - Developer Contributions

53 - Minerals

54 - Mineral Wastes

55 - Peat and Soils

57 - Natural, Built and Cultural Heritage

58 - Protected Species

59 - Other Important Species

60 - Other Importance Habitats

61 - Landscape

63 - Water Environment

66 - Surface Water Drainage

72 - Pollution

73 - Air Quality

77 - Public Access

6.3 West Highland and Islands Local Development Plan 2019

There are no site specific policies covering the site and the site is distant from all defined Settlement Development Areas.

6.4 Highland Council Supplementary Planning Policy Guidance

- Flood Risk and Drainage Impact Assessment (Jan 2013)
- Green Networks (Jan 2013)
- Highland Historic Environment Strategy (Jan 2013)
- Highland's Statutorily Protected Species (March 2013)
- Physical Constraints (March 2013)
- Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL POLICY CONSIDERATIONS

7.1 Scottish Government Planning Policy and Guidance

- PAN 50 - Controlling the Effects of Surface Mineral Workings (1996)
- PAN 51 - Planning, Environmental Protection and Regulation (2006)
- PAN 60 - Planning for Natural Heritage (2000)
- PAN 63 - Waste Management Planning (2002)
- PAN 64 - Reclamation of Surface Mineral Workings (2002)
- PAN 79 - Water and Drainage (2006)
- PAN 1/2011 - Planning and Noise (2011)
- Guidance on the Management of Extractive Waste (Scotland) Regulations 2010

7.2 Other relevant planning guidance

The Highland Council: Biodiversity Planning Guidance (May 2024)

8. PLANNING APPRAISAL

8.1 Section 25 of the Town and Country Planning (Scotland) Act 1997 requires planning applications to be determined in accordance with the development plan unless material considerations indicate otherwise.

8.2 This means that the application requires to be assessed against all policies of the Development Plan relevant to the application, all national and local policy guidance and all other material considerations relevant to the application.

Planning Considerations

8.3 The principle of the development has been established through the previous permission. This is an application to not comply with Condition 16 of the previous permission to allow for mineral extraction without creation of a landscaping bund. In order to address the determining issues therefore, Committee must consider the extent to which the proposal continues to comply with the up to date provisions of the Development Plan and take into consideration any other material considerations.

8.4 The key considerations in this case are:

- a) compliance with the Development Plan and other planning policy;
- b) landscape and visual, including restoration;
- c) ecology, biodiversity and water management; and
- d) any other material considerations.

Development Plan / Other Planning Policy

8.5 Development Plan policy has evolved since the time of the determination of the last planning permission. The key issue therefore is whether the amendment applied for would result in the development being incompatible with the Development Plan.

8.6 The applicant has sought to not form the landscape screening bund and to make consequential changes to the working of the quarry with more of the upper quarry

faces to be restored. No modifications being sought to the maximum envelope of the previously consented scheme with the overall quantity of rock to be extracted being reduced by 20 million tonnes, equating to around a 3 year supply. In principle, the continuation of quarrying is supported by NPF4 Policy 33 and HwLDP Policy 53. However, this amendment to the permission can only be supported if the proposals would not give rise to unacceptable new significant adverse environmental effects, and appropriate conditions exist to ensure appropriate environmental mitigation is in place, that the working scheme for the quarry is complied with and the site is satisfactorily restored.

- 8.7 The extension of time has been subject to an Environmental Impact Assessment (EIA), the findings of which have satisfied all consultees, none of which have objected to the grant of planning permission subject to the inclusion of updated planning conditions. The EIA Report has assessed all of the main environmental implications of the proposed development and notable findings from the Council's review of this document are set out within the sections below.

Landscape and Visual Impact, Including Restoration

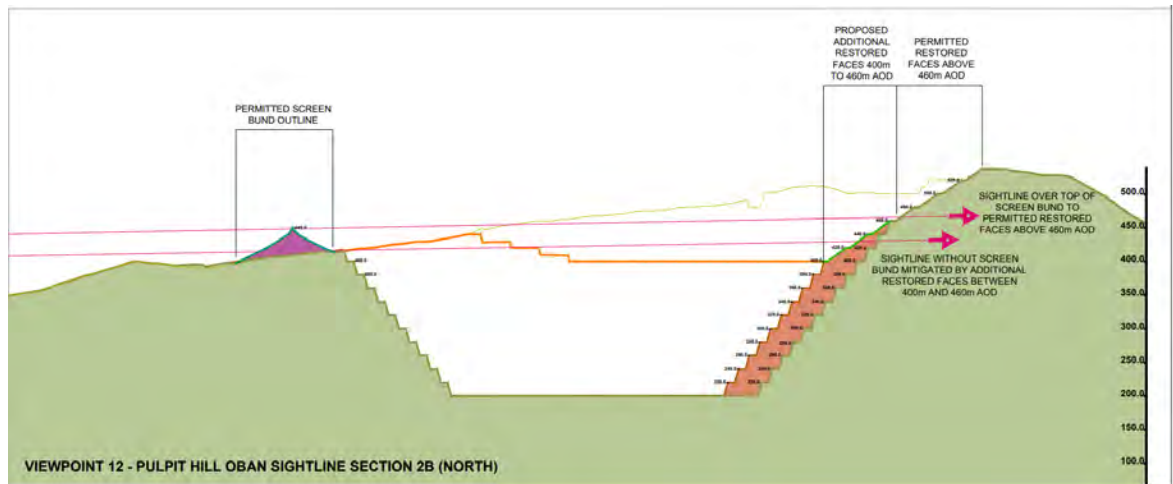
- 8.8 Visibility of the quarry infrastructure is most noticeable at the lower level where material is processed and exported from site by boat on the western shore of Loch Linnhe. Visibility of the upper quarry working area is however much more contained, with areas where the quarry working areas being restricted generally to the south west across higher ground, to the south and south east extending to beyond 20km. The LVIA submitted with the application primarily focuses on the visual difference between the permitted quarry development and the proposed exposure and treatment of quarry face that would otherwise be screened by the intervening landscaping bund. To assess this a series of Zone of Theoretical Visibility (ZTV) studies, select updated viewpoint photography, and a 3D Digital Terrain Model (DTM) has been undertaken. This demonstrated that the landscape screening bund would have been most visible when viewed from the south east across the island of Lismore and from the mainland around Port Appin.
- 8.9 The previously proposed landscaping bund was intended to screen views of the unrestored quarry faces. This would however only be effective from select representative locations, with the bund not appearing in many views, and some views experiencing visibility of just the landscape screening bund itself, without any quarry faces. As set out in the LVIA Table 7-1 extract below, the bund would be effective in helping to screen the unrestored quarry faces at VPs: 8 (Barr Mor Lismore (Trig Piller)), 10 (Beinn Lora Eagle's Eiree), 11 (Ganava Oban), 12 (Pulpit Hill Oban), 13 (Duart Point Isle of Mull Trig) and 20 (An Sleaghach):

Table 7-1
Elements Screened by Screen Bund at Each Viewpoint for the Permitted Development

Viewpoints	Screen Bund Visible	Permitted Unrestored Faces Screened	Permitted Restored faces Screened	Screening Potential
1, 6 and 21	Yes	No	No	None
2, 3, 4, 5, 14, 15, 16, 17, 18 and 19	No	No	No	None
7 and 9	Yes	No	Yes	Restored Faces Only
8, 10, 11, 12 and 13	Yes	Yes	Yes	Both Face Types
20	Yes	Yes	No	Unrestored Faces Only

8.10 Having assessed the information initially provided, additional details were requested, including the viewpoint photography to enable the re-assessment of original LVIA Viewpoints (VPs) 10 (Beinn Lora Eagle's Eiree), 12 (Pulpit Hill Oban) and 13 (Duart Point Isle of Mull Trig), with photomontages of the proposed amended development having been prepared to the Council's visualisation standards. Additional visual model views were also provided for LVIA VPs 7 (Fennachrochan Lismore Trig Pillar), 11 (Ganavan), 19 (Beinn A Chaisil) and 20 An Sleaghach), with these collective select representative viewpoints illustrating where the proposed amendments would be most perceptible.

8.11 Although the progressive formation of the landscape screening bund which would be constructed over a 5 year period would in itself cause adverse landscape and visual effects, its formation would have been beneficial in certain views, and therefore, the applicant has amended the working scheme for the quarry to introduce additional areas of quarry face restoration within the quarry void, with the main objective of this being to obscure the horizontal lines of the worked quarry benches and faces. The landscaping bund would have provided a degree of screening within a 10 year period; allowing 5 years for formation and 5 years vegetation establishment. By comparison, should it not be formed, visibility of the working of the quarry faces would occur for a longer period of time as mineral extraction progresses to lower elevations within the quarry, and the upper faces thereafter being progressively restored. Based on the phasing information provided in the application, it would take some 20 years, twice as long, to complete the additional restored faces as presented within the amended working scheme. That said, these worked out quarry faces would be progressively restored within this timeframe and the upper benches and faces being restored ahead of extraction taking place at lower levels. The greatest visibility of these additional restored areas would also occur in circa 25 years time, when the quarry enters Phase 5, which involves the removal of the higher ground north of the consented landscaping bund's location. The decision to work this higher ground within this later phase is beneficial as this would help to reduce visibility into the working areas of the quarry up to this point in time. This is illustrated in the cross section provided below (taken from Drawing GQ L/11b):



- 8.12 Through ZTV modelling, areas where the landscaping bund would be visible are shown on Dwg GQ L/2b. Whilst it would be effective in helping to screen the working area, the areas to the west and south shaded pink, purple and dark grey on this drawing indicate where visibility would still have been obtained of unrestored quarry faces, even with the bund in place.
- 8.13 Comparably, with the landscaping bund not being formed, visibility of the unrestored faces within the quarry are presented on ZTV Dwg GQ L/3c. The pink shaded areas indicate where there would be visibility of the consented unrestored quarry faces, which would occur across the mainland to the south and south west, including from higher ground around Oban, represented by VP12 (Pulpit Hill Oban). As a result of not forming the landscaping bund, this drawing also shows where there would be new and extended areas of visibility of the worked out unrestored quarry faces shaded purple and blue. This would be greatest to the south, extending to towards the Isle of Mull, and across the southern part of the island of Lismore. Generally, in longer distance views, without the formation of the screening bund or any other form of mitigation, there would be greater visibility of unrestored quarry face with this mostly occurring in the locations where the bund would not have been effective in screening the entirety of the consented unrestored quarry faces. In addition, by not forming the bund, there would also be a scattering of new broken areas of theoretical bare earth visibility shown in a starburst pattern across the northern area of Lismore and areas of the mainland. It is reported that this is caused by the very top edge of the of unrestored faces, with this in reality reported not to be perceptible owing to the intervening distance.
- 8.14 The application proposes further mitigation with the introduction of additionally restored faces within the quarry. The effectiveness of this is presented on LVIA Dwg GQ L/3a. This drawing demonstrates that visibility of the additionally restored quarry faces would be similar to the visibility of the landscaping bund when experienced from around the east of Mull, Oban and south of Lismore. That said, the additional restored faces within the quarry have the potential to have a more regular appearance, with their design therefore proposed to incorporate irregular sections of rock, with added hollows and cut backs into the slope to help mitigate this regularity, which could be conditioned.
- 8.15 The proposed additionally restored faces within the quarry would not however eliminate visibility of consented unrestored quarry faces. Visibility of unrestored faces remains theoretically visible across the shaded red and dark green areas on

LVIA Dwg GQ L/3a. By comparing this proposed visibility to that of the consented scheme's, visibility of the unrestored quarry faces would increase to the south west, represented by VP13 (Duart Point Isle of Mull Trig), but would be reduced across the mainland to the south east, with limited scattered areas of new unrestored face visibility introduced to the east, across the northern end of Lismore, represented by VP7 (Fennachrochan Lismore Trig Pillar) and the mainland. Again, the extent of this is very limited and not anticipated to be perceptible. In relation to Lismore and the Lynn of Lorn NSA, although the Lismore Community Council have raised concerns over the visibility of unrestored faces, the extent of theoretical visibility of these faces would be very limited, particularly across the central and northern area of the island, with NatureScot concurring that the application does not result in any additional impacts and that the proposal would not affect the special qualities of the NSA.

- 8.16 In summary, the LVIA reports no new significant landscape or visual effects associated with the amended development proposal. Having reviewed the proposals, including the LVIA ZTVs, 3D modelling, select photomontages, this is not contested and it is accepted that in the longer term, in most cases, the difference would be the presence of the vegetated additional restored quarry faces, rather than the presence of the vegetated landscaping bund, with the proposal avoiding the shorter term disturbance associated with formation of the substantial screening bund in the landscape. The greatest landscape and visual effect would occur for receptors at VP13 (Duart Point Isle of Mull Trig) with positive effects associated with resorting more quarry faces occurring at VPs 19 (Beinn A Chaisil) and 20 (An Sleaghach). The proposal's avoidance of forming the landscape bund would also be positive from a landscape character perspective.

Ecology, Biodiversity and Water Management

- 8.17 The application proposes a retraction in the extent of the proposed working area, with the proposal to not form the 6.7ha landscaping bund resulting in less habitat disturbance, a reduction in the extent of culverting and water management, and a reduction in peat disturbance. Consequently, whilst no official biodiversity enhancement has been set out, the decision not to form the bund would result in a net reduction in biodiversity and habitat losses associated with continuation of quarrying activities.

Other Material Considerations

- 8.18 It is worth highlighting that an application submitted under Section 42 of the Planning Act provides the Planning Authority with an opportunity, as part of the process in considering the proposed variation, to amend any, or each of the original conditions previously applied which it considers necessary to regulate the development proposed. Following consideration of the conditions attached to all of the former planning permissions at the site, (including those contained within planning permissions: 05/00334/FULLO, 02/00189/FULLO, LO/1986/167 and LO/1989/723), it is considered appropriate to revisit the terms of these and consolidate the requirements of these conditions into one planning permission should this Section 42 application be granted. The applicant is supportive of such an approach, which would in effect result in one principal consent, which could then be used for effective ongoing operational compliance and strengthen monitoring. The recommended conditions to be attached have been informed by former

consultee requirements and provide greater clarity, whilst ensuring the wording is in line with current good practice to manage the environmental effects of the development.

Matters to be Secured by Legal Agreement

8.19 Restoration of the quarry is secured by conditions a Section 75 legal agreement associated with the former planning permission which requires the operator to provide financial guarantee to secure the restoration of the site in a form acceptable to the Council. These works include the progressive restoration of the quarry, including the formation of the roll over slopes for the upper quarry faces, fencing, removal of plant requirement, and stockpiles. In order to ensure that the restoration is completed to the satisfaction of the Planning Authority and in a timeous manner, an updated financial guarantee will be required to reflect the proposed changes to the quarry working scheme. This will be secured via an updated or replacement legal agreement and will comprise:

- Full details of a bond or other financial provision to be put in place to cover all of the decommissioning and site restoration measures outlined in the EIAR and SEI, and as presented within application Dwg Nos. GQ DP/07: Final Extraction Quarry Void, July 2023 and GQ DP/08: Final Extraction Quarry Void Flooded Option, July 2023 which are referenced in the proposed planning conditions.
- Thereafter, the quarry operator will be required to:
 - i. Ensure that the bond or other financial provision is maintained throughout the duration of this permission; and
 - ii. Pay for the bond or other financial provision to be subject to a review five years after the date of this permission being granted and every five years thereafter until such time as the quarry is decommissioned and the site is fully restored.

8.20 In the event that the Section 75 or an appropriate legal mechanism is not concluded within four months or extended by prior written agreement the application will be refused for the following reason:

The proposed application has failed to conclude a legal agreement required to secure a restoration bond. As such the Council has no certainty that the restoration of the quarry could be completed in the event the operator fails to undertake these works. As such the application is contrary to the provisions of Policy 54 of the Highland-wide Local Development Plan.

9. CONCLUSION

9.1 The proposal to continue to work the quarry without the formation of the landscaping bund is supported by NPF4 Policy 33 and HwLDP Policy 53. However, this amendment to the permission can only be supported if the proposals would not give rise to unacceptable new significant adverse environmental effects, and appropriate conditions exist to ensure appropriate environmental mitigation is in place, that the working scheme for the quarry is complied with and the site is satisfactorily restored. The proposal is considered to be well considered, with consequential additional restoration mitigation to be introduced which would suitably compensate for the decision not to form the landscaping bund. The applicant's EIAR and associated Supplementary Environmental Information does not identify any new significant

environmental effects arising as a result of the continued working of the quarry. As such, based on the assessment of the information presented within the application, subject to the inclusion of appropriate conditions, the continued working of this quarry is unlikely to give rise to any new or additional significant adverse impact on the environment.

9.2 All environmental effects of this development can be addressed by way of mitigation. The requirement for a schedule of mitigation within the conditions of this permission will make clear what that is. Monitoring of operational compliance can be secured through the proposed Conditions 7, 8, 23, 31,32 33 and 35.

9.3 All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

10. IMPLICATIONS

10.1 Resource: Not applicable.

10.2 Legal: Not applicable.

10.3 Community (Equality, Poverty and Rural): Not applicable.

10.4 Climate Change/Carbon Clever: Not applicable.

10.5 Risk: Not applicable.

10.6 Gaelic: Not applicable.

11. RECOMMENDATION

Action required before decision issued	Y
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Notification to Scottish Ministers	N
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Conclusion of Section 75 Obligation or an appropriate legal mechanism	Y
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Revocation of previous permission	N
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Subject to the above, it is recommended that planning permission be **GRANTED**, subject to the following:

Conditions and Reasons

1. The approved development shall be carried out in accordance with the full terms of:
 - a) planning permission references:
 - 05/00334/FULLO dated 28 September 2007;
 - 02/00189/FULLO dated 8 January 2003;
 - LO/1989/723 dated 21 March 1990; and
 - LO/1986/167 dated 7 December 1989 (as amended as a non-material variation by letter of 13 March 1990 from the former Highland Regional Council); or
 - b) as otherwise as set out in the application documents, including the Environmental Impact Assessment Report, received December 2021, as updated by the Supplementary Environmental Information, received August 2023, and as per the approved plans as amended by the specific conditions contained in this planning permission; and
 - c) subject to periodic review as required by Section 74 and Schedule 10 of the Town and Country Planning (Scotland) Act 1997.

Reason: In order to enable the Planning Authority to retain effective control over the continuing operations of the quarry.

2. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 8 January 2043 (the 'cessation date') within which time all extractions and working and winning of aggregates shall have ceased, plant, buildings and machinery shall have been removed and the site shall have been restored in accordance with the terms and conditions of this planning permission. In the event that working ceases for a period of more than 2 years prior to the expiry of this permission then the site shall be restored within 4 years from the cessation of working, or in any case, before the expiry of this permission, with restoration being completed in accordance with the progressive and final restoration plans required under Condition 8 and Condition 34 of this permission.

Reason: To clarify the terms of the permission and ensure the site is fully restored to an appropriate land use.

3. The extraction of granite shall be limited to the area shown within the 'extraction limit' on Drawings GQ DP/01 to GP DP/08, received July 2023.

Reason: In order to contain the area of the quarry and minimise the impact of such workings on the wider landscape.

4. The quarry shall not at anytime operate at a rate which would represent production in excess of 15 million tonnes of granite per calendar year, unless otherwise agreed in advance with the written approval of the Planning Authority.

Reason: In order to conform with the parameters assessed within the Environmental Impact Assessment Report, received December 2021, as updated by the Supplementary Environmental Information, received August 2023.

5. The boundary of the quarry workings shall be securely enclosed by stock proof fencing and/or bunds which shall be located as close as possible to the quarry edge subject to the operational requirements of the quarry. Access along the ridge to the north of the extraction area shall not be restricted and shall be facilitated by the placement of a suitable barrier as set out in Quarry Regulations 1999 -

Regulation 16. Measures to warn walkers of the imminence of blasting in this area shall be introduced and maintained during quarry extractive operations.

Reason: In order to ensure the general rights of public access are provided for within the vicinity of the quarry, with reasonable safeguards being implements to assist with the safety of walkers in the area.

6. At all times during the life of the quarry adequate steps shall be taken to ensure safe and free passage for pedestrians, cyclists, horse riders along the established coastal footpath which runs through the site. In particular a footpath route shall be clearly demarcated and signposted through the site.

Reason: In order to ensure the general rights of public access are provided.

7. Within 12 months of the grant of this permission, and at 5 yearly intervals thereafter until the expiry of this permission, the quarry operators shall prepare and submit an updated Environmental Management Plan for the monitoring and auditing of the effects of the development on the environment within and surrounding the quarry and its associated infrastructure for the written approval of the Planning Authority in consultation with NatureScot and the Scottish Environment Protection Agency. This updated scheme shall make specific provision for the information requirements set out Condition 11 of planning permission 05/00334/FULLO and Condition 3 of planning permission 02/00189/FULLO for the monitoring and auditing of the effects of the development on the environment within and surrounding the quarry and its associated infrastructure. The scheme shall include, but not be limited to, the provision of the following information:

- a) Schedule of Mitigation - derived from the mitigation measures set out within all sections of the Environmental Impact Assessment Report received December 2021, as updated by the Supplementary Environmental Information, received August 2023;
- b) any updated information required to the Surface Water Management Plan required by Condition 23, with its content covering the Environmental Management Plan requirements specified by Condition 3 of planning permission 17/05155/FUL;
- c) seal population census data at the Eileanan Agus Sgeiran Lios More Special Area of Conservation;
- d) ecological monitoring of watercourses outwith the quarry area of similar type to watercourses being monitored within the quarry area;
- e) rainfall data within the assessment of potential siltation arising from surface water run-off;
- f) co-ordination of dust and terrestrial ecology monitoring programmes to identify any impacts of dust deposition on vegetation;
- g) sediment impact on the marine environment; and
- h) inspection of Glensanda Castle before and after vibration exposure to ensure no observed structural damage.

In relation to the approved schemes, and in approving any actions which the Planning Authority considers necessary to address the results of monitoring and to address or avoid adverse environmental impacts, the Planning Authority shall specify in writing a time period within which such remedial actions can be reasonably implemented by the quarry operator and the actions shall thereafter be

carried out by the operator, or their appointed agent, within such approved timescale.

Reason: In order to allow the impact of the works being approved, together with the agreed mitigation measures being implemented, to be evaluated and presented to the Planning Authority, to determine any requirement to amend or alter the works hereby granted consent or to alter or extend the measures of mitigation being deployed to protect the local environment.

8. Notwithstanding the approved phasing drawings, nos. GQ DP/01 through to GQ DP/08, received August 2023, forming part of this planning permission, within 5 years of the date of this permission, and thereafter at 5 yearly intervals until the expiry of this permission, the quarry operator shall submit a Quarry Progress Plan comprising a supporting statement and updated phasing drawings for the prior written approval of the Planning Authority, in consultation with NatureScot and the Scottish Environment Protection Agency. The statement shall present an audit of the workings and restoration undertaken in the preceding five years, as well as areas anticipated to be worked and restored in the forthcoming five year, illustrating:
- a) areas worked and mineral extraction rates, including production tonnage, against the projected operations and quantification of remaining consented mineral reserves;
 - b) areas of restoration and areas subject to maintenance / aftercare, with details of monitoring and review. The restoration works shall specify:
 - i. Restoration of disturbed ground and worked out areas takes as soon as practically possible on a phased basis;
 - ii. The introduction of 'roll over slopes' for the upper quarry benches with these restored faces being typically 36 degrees and their design to incorporate irregular sections of rock, with added hollows and cut backs into the slope to help mitigate their regularity;
 - iii. Details of hydroseeding, seed mix, tree and shrub planted (including number, species type, size of planting stock);
 - iv. Proprietary regrading works; surface water drainage; and fencing;
 - v. The aftercare and maintenance provisions for each phase of restoration which shall endure for a minimum of 5 years following completion of restoration on a phased basis;
 - c) areas, quantification and placement of restoration material, including soil, peat and overburden storage, with all restoration material to remain on site and used in site landscaping;
 - d) Infrastructure, processing plant and associated buildings; and
 - e) Demonstration of compliance with the conditions attached to this planning permission.

Thereafter each rolling phasing plan shall be implemented as approved.

Reason: In order to ensure the Planning Authority can monitor the workings undertaken and retain effective control over the quarry operations.

9. No extraction shall take place below the 400 mAOD level within the western expansion area approved under planning permission 05/00334/FULLO, and as presented on drawing no. GQ DP/05: Phase 4 2043 Year 20, received August

2023, without the prior written approval of the Planning Authority, following consultation with NatureScot, that the quarry faces on the north side of workings have been restored with the formation of roll over slopes as per the requirements of Condition 8.

Reason: In order to ensure effective restoration works progress in tandem with the continued working of the quarry.

10. All crushed production stone extracted from the quarry shall be removed from and conveyed from the quarry to the primary stockpile, secondary crushing and remaining processing plant only via the glory hole and underground conveyers, unless otherwise agreed in writing in advance by the Planning Authority. This shall not however restrict the movement of any armour stone which is transported via the access road to the armour stone jetty.

Reason: In the interest of landscape and visual amenity.

11. The quarry operator shall have the ability to maintain in operational condition landing and takeoff facilities for a helicopter and light aircraft and shall also provide, and thereafter maintain, emergency overnight living accommodation sufficient to accommodate personnel on the site whose usual place of residence would otherwise be reached from Glensanda by sea or air.

Reason: To maintain connectivity given the absence of any road connection.

12. In relation to the quarry access road, the quarry operator shall ensure that the established surface water drainage works, including culverts and graded landscaping treatment of all cut and fill side slopes are maintained.

Reason: In the interest of managing surface water drainage within the site and to reduce silt runoff into the water environment.

13. The primary crusher, glory hole and linking conveyor buildings shall be retained within the quarry void or removed and replaced by a mobile crusher and conveyor system to the glory hole if no longer required.

Reason: In order to reduce noise and dust pollution arising from these activities.

14. All conveyors between the mobile crusher and the glory hole shall be fully covered, with all processing, office and administrative facilities to be accommodated in fully enclosed buildings, and all crushing, screening, conveyor plant (including the glory hole cover) which is not housed underground, shall also be fully enclosed.

Reason: In order to reduce noise and dust pollution arising from these activities.

15. All external floodlighting shall be designed and installed in such manner as to eliminate or minimise the amount of glare directed skywards, towards Loch Linnhe and towards the surrounding countryside. All existing external lighting arrangements shall be reviewed by the operator on an annual basis and any material revisions to the lighting requirements shall be subject to the prior written approval of the Planning Authority.

Reason: In the interest of maintaining a dark site and mitigation light pollution.

16. All crushing / conveyor plant (excluding mobile plant equipment) and storage tanks shall have a matt dark green or dark brown finish, with their appearance being monitored and maintained to ensure no significant rust, staining or dis-colouration occurs until such time as the plant is removed from site.

Reason: In the interest of visual amenity.

17. Notwithstanding the provisions of classes 14, 15, 16, 17, 20, 23, 24, 25, 26, 28, 55, 56, 57, 63 and 64 of Schedule 1 to the Town and Country Planning (General Permitted Development) (Scotland) Order 1992 (or any subsequent revision to the order), any development which it is proposed to carry out which is described in the said classes, shall require the prior written approval of the Planning Authority.

Reason: To allow the Planning Authority to retain effective control over operations at the site.

18. All plant and machinery which is no longer required for the winning and working of granite, or for any other purpose, shall be stored in a manner and location to be agreed in writing by the Planning Authority in readiness for its removal from Glensanda, with the plant's removal taking place within two years of such redundancy, or within a longer period should this be agreed in writing by the Planning Authority.

Reason: In the interest of visual amenity.

19. Conveyor feeds to stockpiles shall be fitted with dust suppression systems and such systems shall operate as appropriate to prevent the wind blow of aggregates dust from discolouring adjacent land vegetation and buildings.

Reason: To ensure adequate dust suppression in the interest of health, habitats, and amenity.

20. No blasting shall take place which creates ground vibrations with a peak particle velocity exceeding 6.00 millimetre per second at Glensanda Castle. The developer shall monitor ground vibrations at the castle if blasting within 1000m of Glensanda Castle at times to be agreed with the Planning Authority to whom the results of such recordings shall be made available on request.

Reason: To ensure adequate protection and safeguarding of a historic feature.

21. No blasting shall take place out with the hours of 0800 hours and 1800 hours Monday to Saturday, with no blasting taking place on Sunday or outwith these hours unless for safety reasons, or with the prior written agreement of the Planning Authority.

Reason: In the interest of amenity.

22. The developer shall ensure at all times that noise arising from the quarry working, processing and ship loading meets the full requirements of BS5228/1984, 'Noise control on construction and open sites' and shall take all appropriate steps involving the best practical means to ensure the adequate insulation of buildings, plant and machinery. Where the Planning Authority considers that the requirements of the above mentioned BS5228 / 1984 are not being met, the quarry

operator shall, within three months of such written notification by the said authority, commission a study by independent noise consultants setting out the measures required to meet the requirements of BS5228 and shall thereafter implement such measures within a period to be prescribed in writing by the Planning Authority.

Reason: In the interest of amenity.

23. The Surface Water Management Plan approved under Condition 13 of planning permission 05/00334/FULLO shall continue to be implemented for the duration of the development. The scheme makes provision for monitoring, reviewing and updating at regular annual intervals. The plan and subsequent updates shall include details for the following:

- a) location and design of settlement ponds, attenuation lagoons and other means of sediment run-off capture;
- b) an internal maintenance regime for settlement ponds and lagoons that includes regular cleaning and prediction of heavy rainfall to adequately prepare for such events; and
- c) the pumping of water once workings descend below the 320 metre AOD level, to include pumping after extraction ceases to the extent required to maintain an acceptable level of flow in the Allt feith Mhic Artair. Thereafter the Plans as approved shall be implemented.

Reason: In order to allow the Planning Authority to effectively manage the workings being approved through this consent with safeguards to protect the impact, both in respect of quantity and quality, on local water courses.

24. Notwithstanding the provisions of Condition 23, prior to the stripping of the quarry surface and the winning and working of granite therein, surface water flowing into the quarry area shall be diverted around the edge of the quarry working into existing water courses.

Reason: In order to safeguard the water environment.

25. Notwithstanding the provisions of Condition 24, all surface water arising in the quarry area after quarrying commences shall be drained to a settlement pond which shall be maintained at all times throughout the life of the quarry development to ensure that no contaminated water is discharged from the quarry into the existing water courses.

Reason: In order to safeguard the water environment.

26. Within 12 months of this permission, the quarry operators shall submit an up to date Watercourse, Ecological / Habitat Improvement Plan for the written approval of the Planning Authority. The plan shall introduce measures to improve habitat for invertebrates and fish and to increasing the salmon and trout populations. Evidence of discussion with and involvement of the Lochaber Fisheries Trust should be demonstrated. Thereafter the plan as approved shall be implemented.

Reason: In the interest of safeguarding against accidental damage to valued ecological resources in the locality.

27. All tanks for the storage of oil and or fuel shall be contained within a sealed bund capable of containing the entire contents of all full tanks in the event of accidental spillage. Details of the location and size of any new or replacement tanks shall be submitted for prior written approval of the Planning Authority.

Reason: In the interest of pollution control.

28. No sewage shall be discharged from ships berthed at the harbour otherwise than to appropriate treatment facilities. All such treatment facilities shall be installed to the satisfaction of the Planning Authority in consultation with the highland river purification board.

Reason: In the interest of pollution control.

29. All cargo ships berthing at the quay and handling the products of the quarry shall be fitted with segregated ballast water tanks save with the prior written approval of the Planning Authority.

Reason: In the interest of pollution control.

30. The bunkering (refuelling) of ships at the berthing head shall not take place other than with the prior written approval of the Planning Authority.

Reason: In the interest of pollution control.

31. Prior to the commencement of vegetation clearance and soil / peat stripping within any given phase of development, the quarry operator shall appoint a professional archaeologist to carry out a walkover survey of the site area to be stripped, for any evidence of features of potential cultural heritage interest, and to submit the results of the survey to the Planning Authority.

Reason: In order to ensure historical and archaeological interests of the site are recognised and properly managed, through appropriate recording or protection, in advance of disturbance.

32. Within 5 years of the date of this permission, the quarry operator shall undertake an updated structural survey of Glensanda Castle with this, together with any necessary remediation strategy, including a program of further repeat structural surveys, to be submitted for the written approval of the Planning Authority. The quarry operator shall review the findings of the latest survey against previous structural surveys undertaken during the lifetime of the quarry and detail any necessary remedial measures to ensure that as a result of direct or indirect effects of the quarry construction and operation, the condition of the castle has not deteriorated. Works to the castle to prevent deterioration shall thereafter be the responsibility of the quarry operator and be undertaken as per any approved remediation strategy which shall ensure that the works do not materially alter the visual character of the castle or its immediate setting.

Reason: To ensure adequate protection and safeguarding of a historic feature.

33. The development of the quarry shall be undertaken in accordance with the Peat Management Scheme previously approved under Condition 14 of planning permission 05/00334/FULLO. The scheme makes provision for monitoring,

reviewing and updating at regular annual intervals, with any subsequent scheme amendments requiring to be submitted for the prior approval of the Planning Authority in consultation with NatureScot and Scottish Environmental Protection Agency, with the scheme to include details of: peat handling methods to minimise the release of carbon dioxide; storage and movement of peat to minimise water pollution; storage and re-spreading of peat to minimise the risk of peat slide; landscaping of stored and re-spread peat; and the anticipated quantities of peat to be stripped, stored and re-spread for restoration.

Reason: In the interest of safeguarding existing peat deposits and peat resources for future beneficial use.

34. Within 5 years of the date of this permission a scheme for the final restoration of the site shall be submitted for the approval of the Planning Authority, and thereafter subsequently reviewed and updated as required in line with Condition 8. The scheme shall be based on the provisions set out within the concept final site restoration drawings nos. GQ DP/07: Final Extraction Quarry Void and GQ DP/08: Final Extraction Quarry Void Flooded Option, received August 2023, and require the quarry operator to carry out the following works:

- a) the entire removal from the site and from adjoining land of all buildings, except for existing buildings present at the date of this permission not comprising temporary workforce accommodation, or used for housing plant, machinery, vehicles or aircraft, with the removal of the harbour works, or part thereof, as the Planning Authority sees fit [providing the latter also meets the terms of the Glensanda harbour order];
- b) the reinstatement of all land disturbed by and exposed by such removal as described in a above such reinstatement to include the tipping and contouring of soil, grass seeding and tree planting;
- c) the reinstatement of all land within and adjoining the site which has been disturbed otherwise than by the removal of buildings, plant, machinery, structures and erections and which the Planning Authority considers requires restoration by the spreading of soil, infilling, contouring and planting with grass and/or trees;
- d) the stopping up of all access to the glory hole and all underground tunnels so as to prevent public access but enable adequate water drainage to continue, should a waterbody not be retained within the quarry floor.

Thereafter, within 6 months of the permanent cessation of winning and working of minerals work, the approved final restoration scheme works shall commence with all final restoration works to be completed within 2 years of the commencement of the final restoration works.

Reason: In the interest of visual amenity and to ensure proper restoration and reinstatement of the land.

35. No vegetation clearance shall take place until an Environmental Clerk of Works (ECoW) has been appointed by the quarry operator. Their appointment and remit shall first be approved in writing by the Planning Authority. The ECoW shall be

appointed for the duration of quarrying operations and their remit shall, in addition to any functions approved in writing by the Planning Authority, include:

- a) prior to any vegetation clearance, undertaking walkover surveys for breeding birds and protected species and advising and overseeing the implementation of any further mitigation measures to be put in place;
- b) identify any nesting site which has supported breeding birds to ensure that these areas be retained in-situ and not be subject to any hydroseeding;
- c) advise and liaise with the site manager to implement the requirements of the Environmental Management Plan, required by Condition 7;
- d) advise the site manager and all onsite staff on adequate protection for environmental and nature conservation interests within, and adjacent to, the application site, and direct the operations on site with the ECoW having the power to call a halt to quarry operations where environmental considerations warrant such action; and
- e) Report on monitoring and findings to the Planning Authority on a 5 yearly basis as required by Condition 7, or on a more frequent bases if merited and upon the further written request of the Planning Authority.

Reason: To ensure that an ECoW, with sufficient remit, is appointed for the duration of development in order to monitor, advise and direct the quarry operator; in the interests of nature conservation.

36. From the date of this planning permission until completion final restoration of the site, a copy of this planning permission, all approved plans and associated documentation together with any approved amendments shall be made available for inspection at the site offices during approved working hours.

Reason: In order to ensure the site operator and visiting officials are aware of the details of the planning permission and any approved amendments.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal accords with the principles and policies contained within the Development Plan and is acceptable in terms of all other applicable material considerations.

Reasoned Conclusion

The Council is in agreement with the findings of the Environmental Impact Assessment Report and Supplementary Environmental Information that continued working of this quarry is unlikely to give rise to any new or other significant adverse impact on the environment. The Council is satisfied that all environmental effects of this development can be addressed by way of mitigation. The Council has incorporated the requirement for a schedule of mitigation within the conditions of this permission. Monitoring of operational compliance has been secured through Conditions 7, 8, 23, 31,32 33 and 35 of this permission.

Signature: David Mudie

Designation: Area Planning Manager – South

Author: Peter Wheelan

Background Papers: Documents referred to in report and in case file.

Relevant Plans:

- Plan 1 Location Plan
- Plan 2 Site Context
- Plan 3 Arial Photograph
- Plan 4 Sightline Sections Location Plan
- Plan 5 Sightline Sections From Viewpoints 10, 12, 13 and 19
- Plan 6 Existing Site Survey
- Plan 7 Phasing Plan 1
- Plan 8 Phasing Plan 2
- Plan 9 Phasing Plan 3
- Plan 10 Phasing Plan 4
- Plan 11 Phasing Plan 5
- Plan 12 Final Extraction Quarry Void
- Plan 13 Final Extraction Quarry Void Flooded Option

Appendix 1 – Planning Permission 05/00334/FULLO

Grid Reference	Easting: 182116 Northing: 746808
Reference No	05/00334/FULLO

**To: Foster Yeoman Ltd
Marston House
Marston Bigot
Frome
Somerset BA11 5DU**

With reference to your application received on **9 August 2005** for planning permission under the above-mentioned Act for the following development, viz:-

Extension to Quarry, Glensanda Quarry, Glensanda, Morvern, Oban, PA34 5QB

The Highland Council in exercise of its powers under the above-mentioned Act and Order hereby **grant** planning permission for the said development in accordance with the plan(s) docquetted as relative hereto and the particulars given in the application, subject to the following standard condition:-

In terms of Sections 58 & 59 of the Town and Country Planning (Scotland) Act 1997, this approval is granted subject to the condition that the development to which it relates must be begun not later than the expiration of five years beginning with the date of this permission

and also to the following condition(s), viz:-

- 1. The full terms of planning permission reference 02/00189/FULLO dated 8th January 2003, LO/1989/723 dated 21st March 1990 and LO/1986/167 dated 7th December 1989 (as amended as a non-material variation by letter of 13th March 1990 from the former Highland Regional Council) shall hereby also apply to this planning permission from the date of this notice, subject to periodic review as required by Section 74 and Schedule 10 of the Town and Country Planning (Scotland) Act 1997.**

Reason: In order to enable the Planning Authority retain consistent and effective control over the continuing operations of the quarry.

- 2. For the avoidance of doubt, this permission is for a limited period, expiring on 8th January 2043, on which date it shall cease to have effect and the land shall have been fully restored in accordance with all of the relevant terms and conditions of this notice.**

Reason: In order to clarify the terms and implications of the planning permission hereby being granted under this consent.

Dated 28th September 2007

.....
Head of Planning and Building Standards

Grid Reference	Easting: 182116 Northing: 746808
Reference No	05/00334/FULLO

3. **Written notification of the date of commencement, being the first explosive detonated in the new rock face, shall be submitted to the Planning Authority within fourteen days of such commencement.**

Reason: In order to ensure the Planning Authority is kept advised on the start date of development on the new rock face.

4. **Except as otherwise provided for and amended by the terms of this approval, the operator shall carry out the development in accordance with the provisions of the application, the Environmental Statement (as supplemented and revised by the Addendum) and the submitted plans.**

Reason: In order to clarify the terms of the consent being granted as related to the submitted plans and supporting documents prepared by the applicant and the commitments given by the applicant to adhere to specific mitigation measures including advance works, methods of working, monitoring, restoration and reinstatement.

5. **For the avoidance of doubt, extraction in the north east of the site shall be limited in its upper extent as indicated on Drawing YM-QP-05-100-A in the Addendum to the Environmental Statement, and all subsequent Drawings of the progression of workings (YM-QP-05-100 to 800) are hereby similarly restricted at this part of the upper edge.**

Reason: In order to contain the area of the quarry and minimise the impact of such workings on the wider landscape.

6. **Access along the ridge to the north of the extraction area shall not be restricted, and shall be facilitated by the placement of the perimeter fence here as close as possible to the quarry edge subject to the operational requirements of the quarry. Measures to warn walkers of the imminence of blasting in this area shall be submitted for the approval of the Planning Authority within three months of the date of this consent, or such longer period as may be agreed, and shall thereafter be implemented.**

Reason: In order to ensure the general rights of public access are provided for within the vicinity of the quarry, with reasonable safeguards being implements to assist with the safety of walkers in the area.

Dated 28th September 2007

.....
Head of Planning and Building Standards

Grid Reference	Easting: 182116 Northing: 746808
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7. Within not more than five years of the grant of this permission, or such longer period as may be agreed in writing with the Planning Authority, the Upper Mobile Plant Workshop shall be relocated to the site as shown on Drawing YM-QP-05-200.

Reason: In order to reduce the impact of the works in the landscape, as perceived from surrounding area, in the interest of amenity.

8. Within not more than ten years of the grant of this permission, or such longer period as may be agreed in writing with the Planning Authority, the primary crusher, glory hole and linking conveyor buildings presently at the 520m AOD level shall be either relocated to a lower level as agreed with the Planning Authority or removed and replaced by a mobile crusher and conveyor system to the glory hole.

Reason: In order to reduce the impact of the works in the landscape, as perceived from surrounding area, in the interest of amenity.

9. No winning of rock in the extended area hereby approved shall take place until screen landscape bunds have been placed alongside to the west of the glory hole and link conveyor structures, and until the west-facing rock face below these structures has been landscaped with hydra-seeding, in accordance with Drawing: YM-QP-05-009, all to the written satisfaction of the Planning Authority.

Reason: In order to reduce the impact of the works in the landscape, as perceived from surrounding area, in the interest of amenity.

10. All conveyors between the mobile crusher and the glory hole shall be fully covered to the written satisfaction of the Planning Authority.

Reason: In order to reduce noise and dust pollution arising from these activities.

11. Within six months of the grant of this permission, the quarry operators shall prepare and submit a revised ongoing scheme for the monitoring and auditing of the effects of the development on the environment within and surrounding the quarry and its associated infrastructure for the approval of the Planning Authority in consultation with Scottish Natural Heritage and the Scottish Environment Protection Agency, all thereafter to be in accordance with the terms of Condition 3 of planning permission reference 02/00189/FULLO. This revised scheme shall make specific provision for the following additional information -

Dated 28th September 2007

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Head of Planning and Building Standards

Grid Reference	Easting: 182116 Northing: 746808
Reference No	05/00334/FULLO

- seal population census data at the Eileanan Agus Sgeiran Lios More Special Area of Conservation
- ecological monitoring of watercourses outwith the quarry area of similar type to watercourses being monitored within the quarry area
- rainfall data within the assessment of potential siltation arising from surface water run-off
- co-ordination of dust and terrestrial ecology monitoring programmes to identify any impacts of dust deposition on vegetation
- sediment impact on the marine environment
- inspection of Glensanda Castle before and after vibration exposure to ensure no observed structural damage

Reason: In order to allow the impact of the works being approved, together with the agreed mitigation measures being implemented, to be evaluated and presented to the Planning Authority, to determine any requirement to amend or alter the works hereby granted consent or to alter or extend the measures of mitigation being deployed to protect the local environment.

12. Within three years of the grant of this permission, and at five yearly intervals thereafter until the expiry of this permission, a restoration and reinstatement plan for the extraction area shall be submitted for the written approval of the Planning Authority in consultation with Scottish Natural Heritage and the Scottish Environment Protection Agency. Such plans shall include monitoring and review of restoration and reinstatement already carried out, to include an assessment of the contribution to local biodiversity. Thereafter each rolling plan shall be implemented as approved.

Reason: In order to ensure effective restoration works progress in tandem with the continued working of the quarry.

13. Prior to the commencement of development, a Surface Water Management Plan shall be submitted for the written approval of the Planning Authority in consultation with the Scottish Environment Protection Agency. This shall make provision for monitoring, reviewing and updating at regular annual intervals. The Plan and subsequent updates shall include details for the following –
- location and design of settlement ponds, attenuation lagoons and other means of sediment run-off capture
 - an internal maintenance regime for settlement ponds and lagoons that includes regular cleaning and prediction of heavy rainfall to adequately prepare for such events

Dated 28th September 2007

.....
Head of Planning and Building Standards

Grid Reference	Easting: 182116 Northing: 746808
Reference No	05/00334/FULLO

- the pumping of water once workings descend below the 320 metre AOD level, to include pumping after extraction ceases to the extent required to maintain an acceptable level of flow in the Allt feith Mhic Artair. Thereafter the Plans as approved shall be implemented.

Reason: In order to allow the Planning Authority to effectively manage the workings being approved through this consent with safeguards to protect the impact, both in respect of quantity and quality, on local water courses.

14. Prior to the commencement of development, a Peat Management Scheme shall be submitted for the written approval of the Planning Authority in consultation with the Scottish Environment Protection Agency and Scottish Natural Heritage. This shall make provision for monitoring, reviewing and updating at regular annual intervals. The Scheme and subsequent updates shall include details of peat handling methods to minimise the release of carbon dioxide, storage and movement of peat to minimise water pollution, storage and re-spreading of peat to minimise the risk of peat slide, landscaping of stored and re-spread peat, and the anticipated quantities of peat to be stripped, stored and re-spread for restoration over the forthcoming annual period. Thereafter the Schemes as approved shall be implemented.

Reason: In the interest of safeguarding existing peat deposits and peat resources for future beneficial use.

15. Prior to the commencement of peat stripping within the extension area, the company shall appoint a professional archaeologist (such appointment to be approved in writing in advance by the Planning Authority) to carry out a walkover survey of the site for any evidence of features of potential cultural heritage interest, and to submit the results of the survey to the Planning Authority for its prior written approval.

Reason: In order to ensure historical and archaeological interests of the site are recognised and properly managed, through appropriate recording or protection, in advance of disturbance.

Dated 28th September 2007

.....
Head of Planning and Building Standards

Grid Reference	Easting: 182116 Northing: 746808
Reference No	05/00334/FULLO

16. No extraction shall take place below the 460 metre AOD level within the eastern expansion area until the landscape bund has been constructed to the satisfaction of the Planning Authority in consultation with Scottish Natural Heritage and the Scottish Environment Protection Agency. Prior to the construction of this landscape bund in the south east of the extension area, detailed plans and a method statement shall be submitted for the written approval of the Planning Authority in consultation with Scottish Natural Heritage and the Scottish Environment Protection Agency. Such plans and method statement should include details of culvert drainage of watercourses underneath, landscaping of the outer face, stability and pollution prevention. Thereafter the landscape bund shall be constructed as approved.

Reason: In order to comply with the terms of the permission being granted taking into account measures needed to protect the amenity of the local environment and minimise the risk of pollution on local watercourses.

17. No extraction shall take place below the 400 metre AOD level within the western expansion area until written confirmation has been obtained from the Planning Authority, following consultation with Scottish Natural Heritage, that the faces on the north side of workings have been restored to its satisfaction.

Reason: In order to ensure effective restoration works progress in tandem with the continued working of the quarry.

18. Within twelve months of the grant of this permission, the quarry operators shall submit for the approval of the Planning Authority in consultation with the Scottish Environment Protection Agency and Scottish Natural Heritage a Watercourse Ecological/Habitat Improvement Plan with a view to improving the habitat for invertebrates and fish and to increasing the salmon and trout populations. Evidence of discussion with and involvement of the Lochaber Fisheries Trust should be demonstrated. Thereafter the Plan as approved shall be implemented.

Reason: In the interest of safeguarding against accidental damage to valued ecological resources in the locality.

19. Prior to the commencement of works in the area holding Lochan Lag a' Mhaim, a detailed method statement shall be submitted for the written approval of the Planning Authority after consultation with Scottish Natural Heritage and the Scottish Environment Protection Agency to include measures to protect water quality downstream and to minimise the loss of species. Thereafter the method statement as approved shall be implemented.

Dated 28th September 2007

.....
Head of Planning and Building Standards

Grid Reference	Easting: 182116 Northing: 746808
Reference No	05/00334/FULLO

Reason: In the interest of safeguarding against accidental damage to valued ecological resources in the locality.

- 20. Prior to the commencement of works in the area holding Lochan Lag a' Mhaim, a further survey for the presence of otter shall be carried out, with application thereafter if necessary to the Scottish Executive for a licence to disturb. All measures so set out shall thereafter be implemented prior to the removal of the lochan.**

Reason: In the interest of safeguarding against accidental damage of nature conservation interests in the locality and ensuring the adoption of proper procedures with agreed mitigation works.

Dated 28th September 2007

.....
Head of Planning and Building Standards

175000

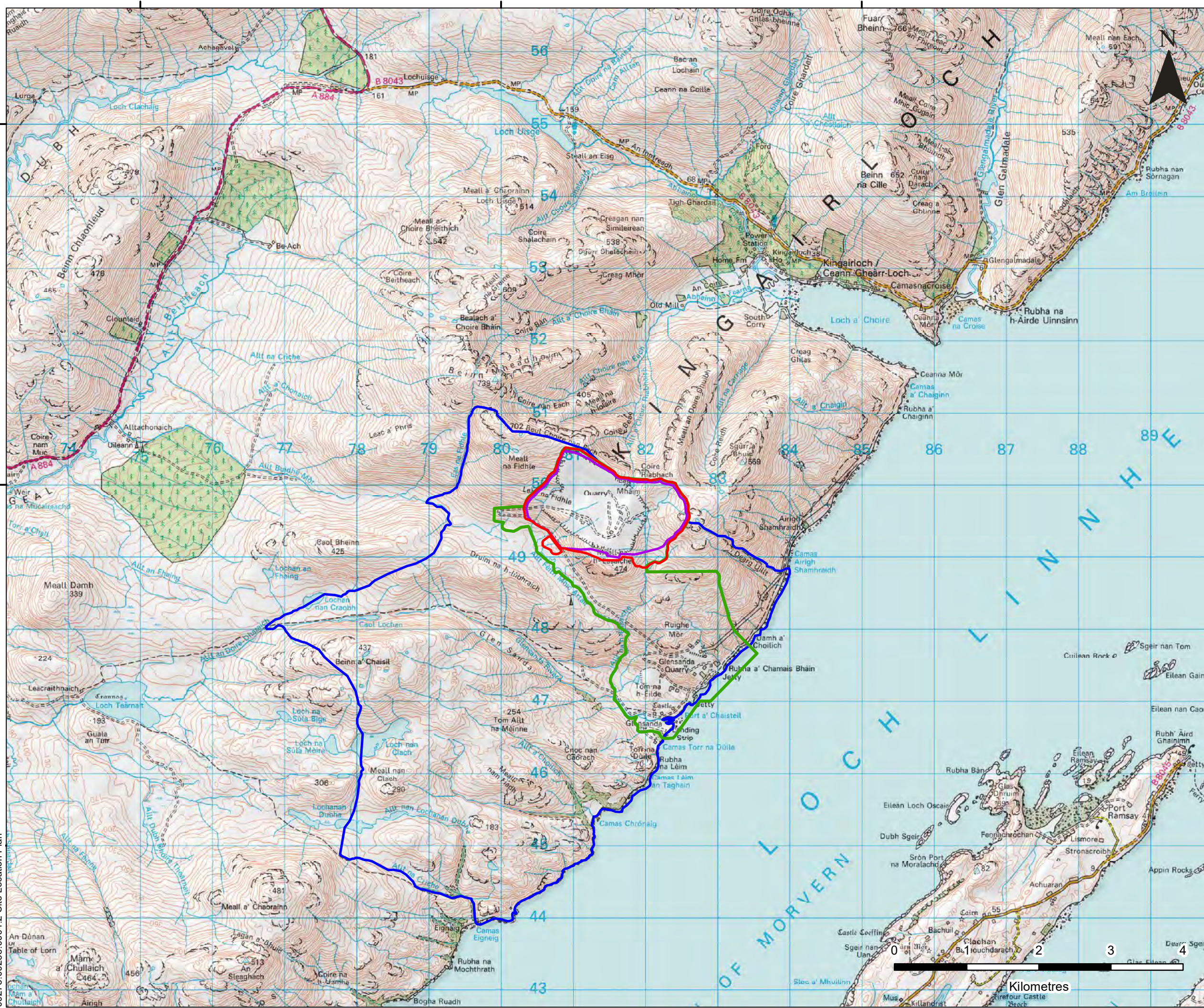
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185000

755000

750000

00275_00258_0001.2 Site Location Plan



LEGEND

- Application Site Boundary
- Extraction Boundary
- Quarry Planning Boundary
- Land in the Ownership of Yeoman Glensanda



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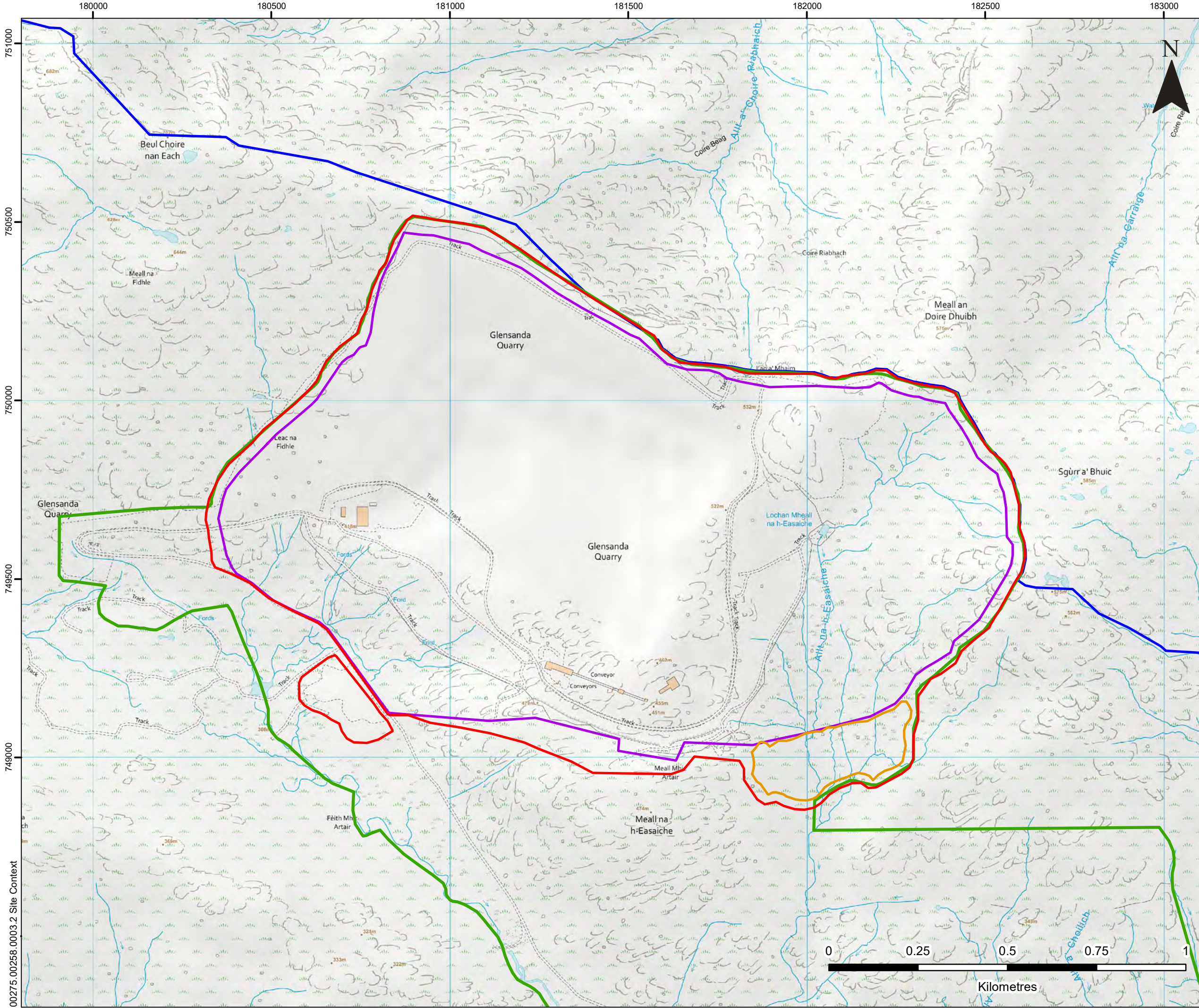
GLENSANDA QUARRY

SECTION 42 APPLICATION
(CONDITION 16)

SITE LOCATION PLAN

GQ01

Scale 1:50,000 @ A3 Date JANUARY 2022



LEGEND

- Application Site Boundary
- Extraction Boundary
- Screen Mound
- Quarry Planning Boundary
- Land in the Ownership of Yeoman Glensanda

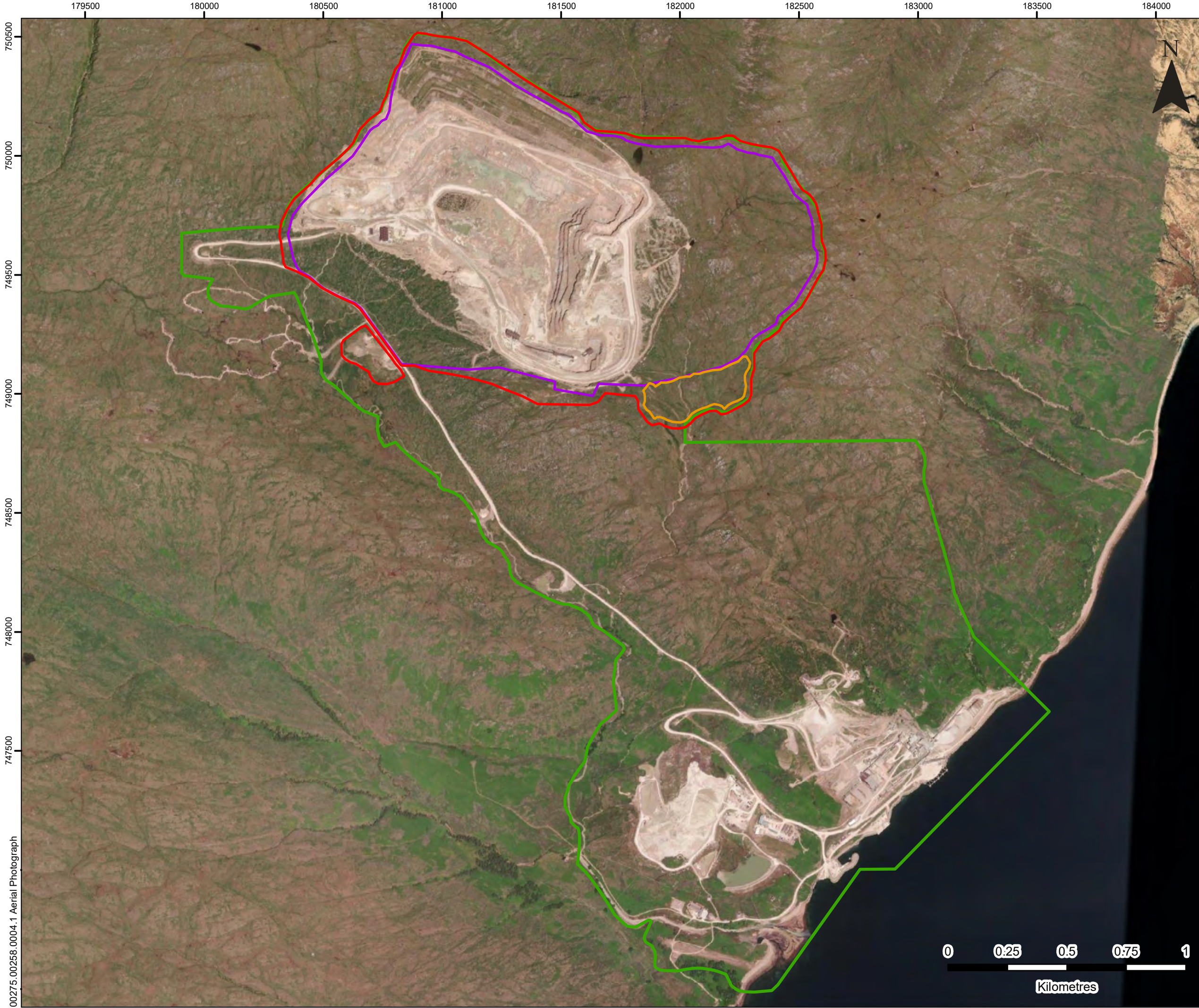


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SECTION 42 APPLICATION
(CONDITION 16)
SITE CONTEXT
GQ03

Scale 1:10,000 @ A3 Date JANUARY 2022





00275_00258_0003.2 Site Context



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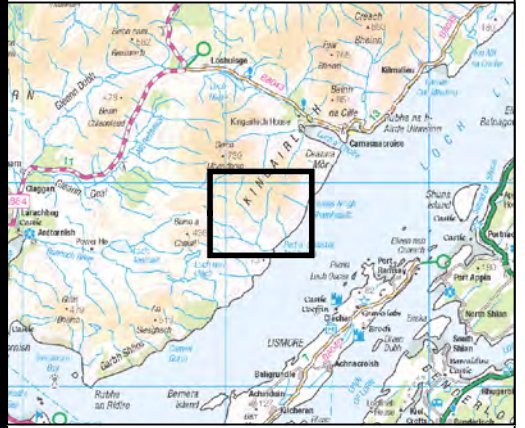
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LEGEND

-  Application Site Boundary
-  Extraction Boundary
-  Screen Mound
-  Quarry Planning Boundary



Aerial Imagery Captured 18/06/2016

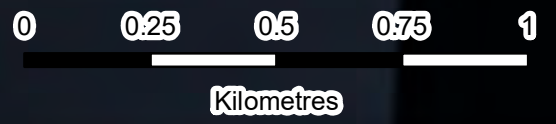


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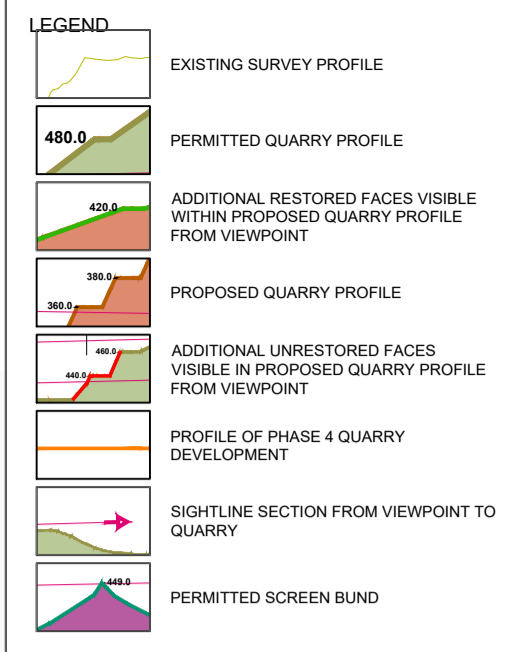
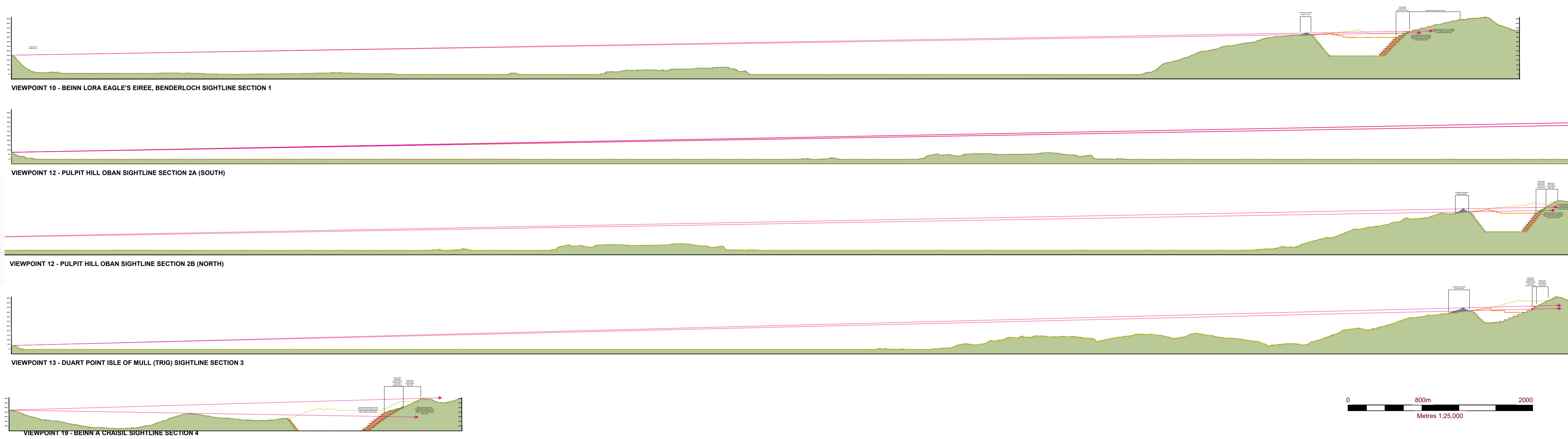
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GLENSANDA QUARRY
SECTION 42 APPLICATION
(CONDITION 16)
AERIAL PHOTOGRAPH
GQ04

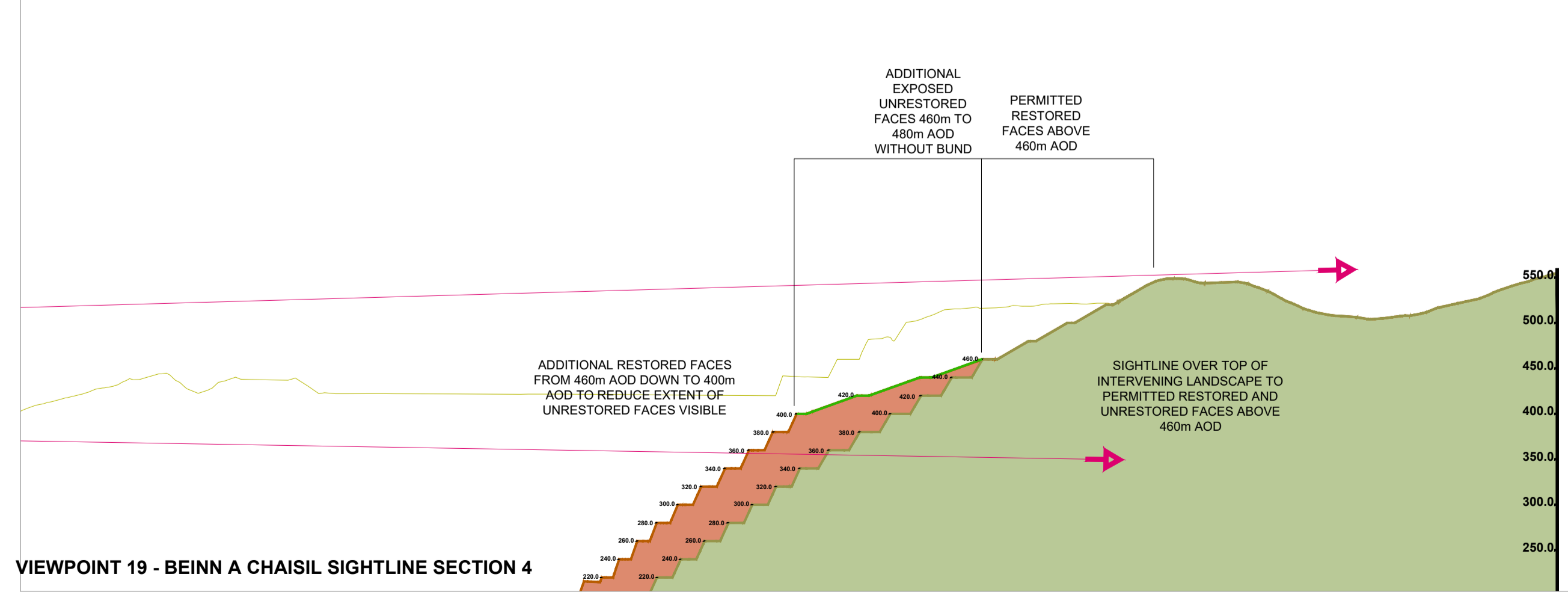
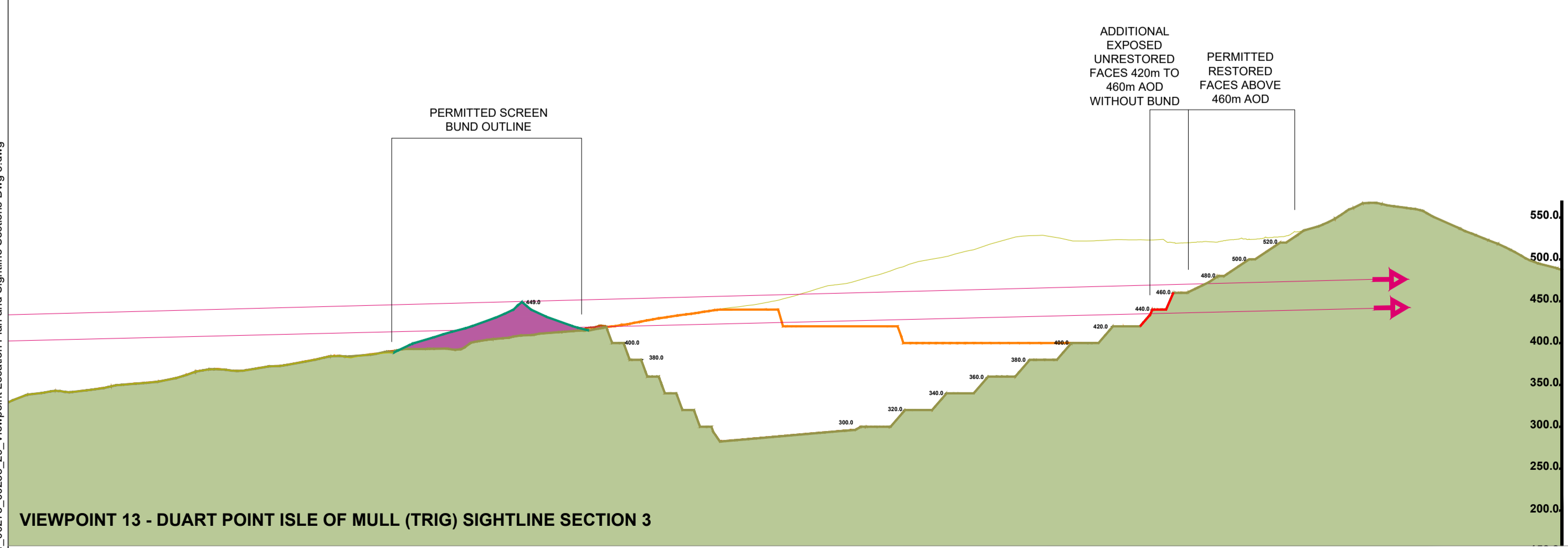
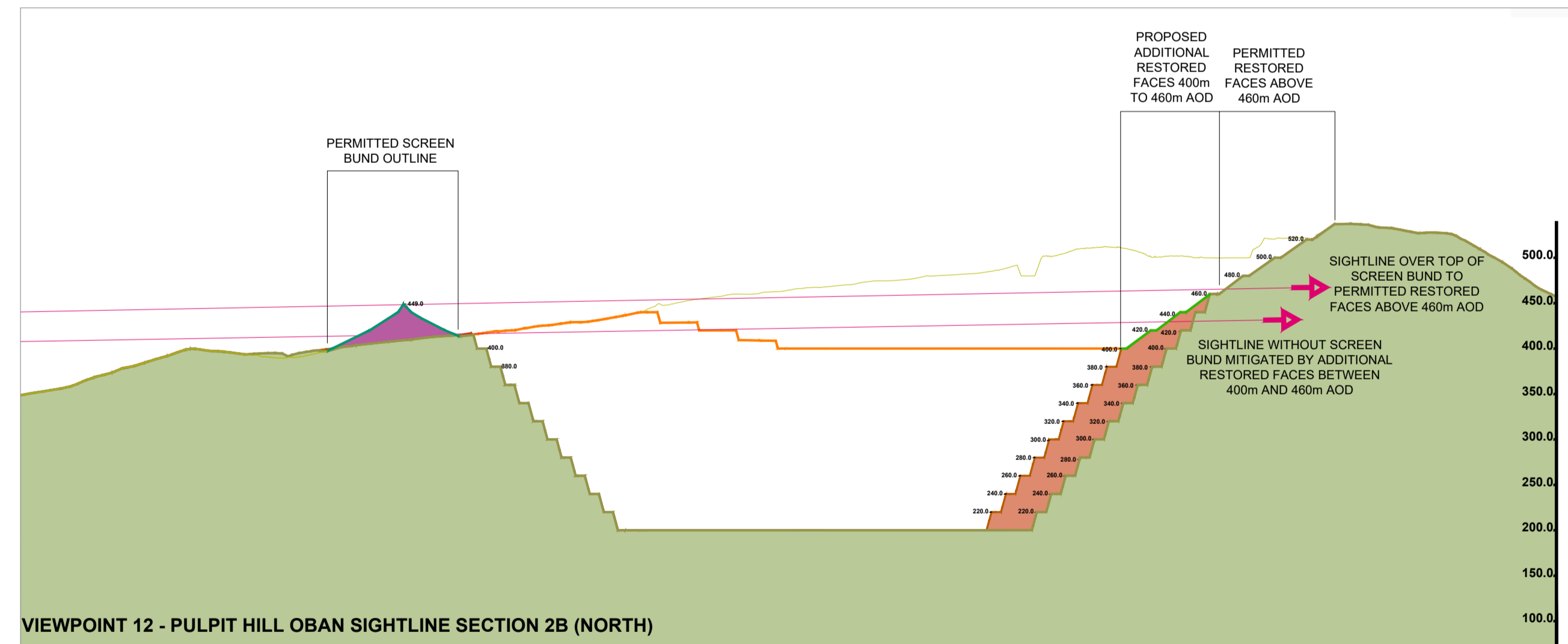
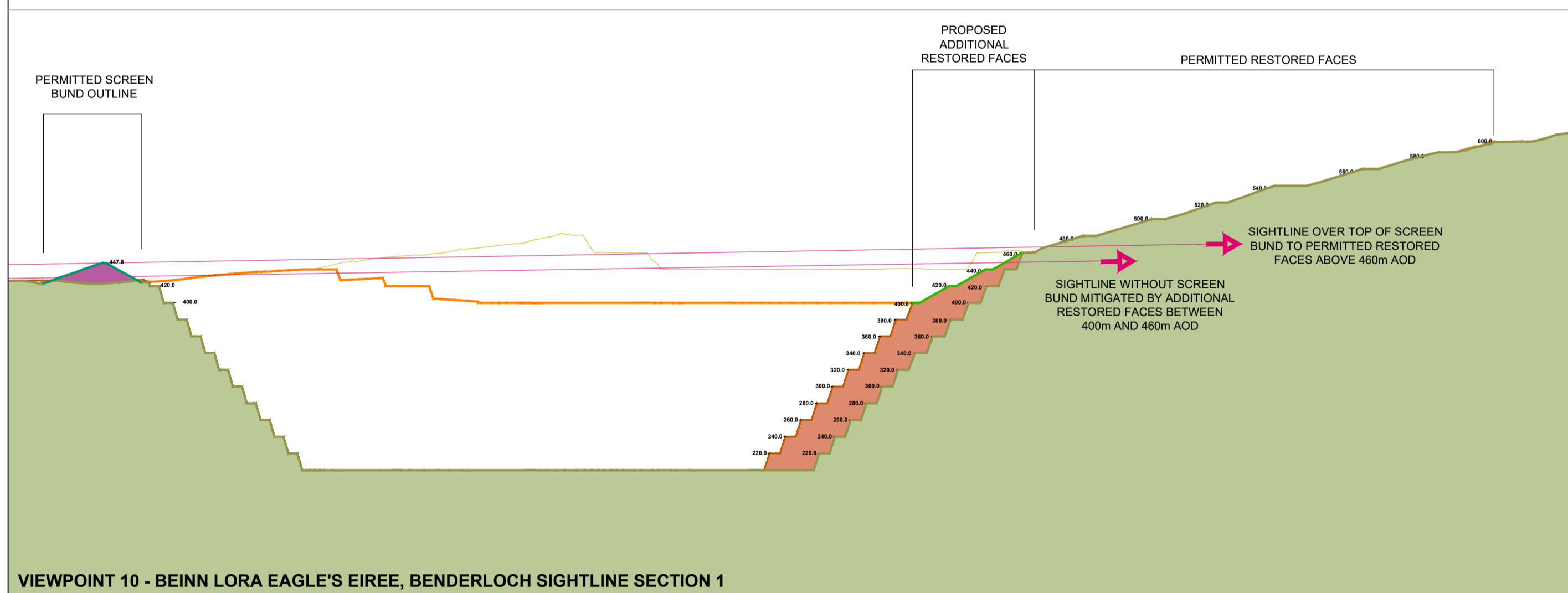


Scale 1:15,000 @ A3 Date JANUARY 2022

ENTIRE SIGHTLINE SECTIONS FROM VIEWPOINT POSITION TO QUARRY SCALE 1:25,000



SIGHTLINE SECTION DETAILS CENTRED ON QUARRY LANDFORM SCALE 1:5,000



YEOMAN
GLENSANDA

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GLENSANDA QUARRY
LANDSCAPE AND VISUAL EFFECTS
SIGHTLINE SECTIONS FROM
VIEWPOINTS 10, 12, 13 AND 19
GQ L/14/b


Scale: 1:25,000/1:5,000
Date: AUGUST 2023

230821_00275_00258_20_ViewpointLocationPlanandSightlineSections.Dwg-3.dwg




LEGEND

-  APPLICATION SITE
-  EXTRACTION AREA
-  SCREEN BUND POSITION (BUND NOT SHOWN)
-  5km RADII FROM CENTRE OF GLENSANDA QUARRY VOID
-  VIEWPOINTS REPRESENTED BY PHOTOGRAPHY AND PHOTOMONTAGE
-  VIEWPOINTS REPRESENTED BY WIRELINES ONLY
-  ORIGINAL VIEWPOINTS NOT UNDER CONSIDERATION
-  SIGHTLINE SECTION POSITIONS



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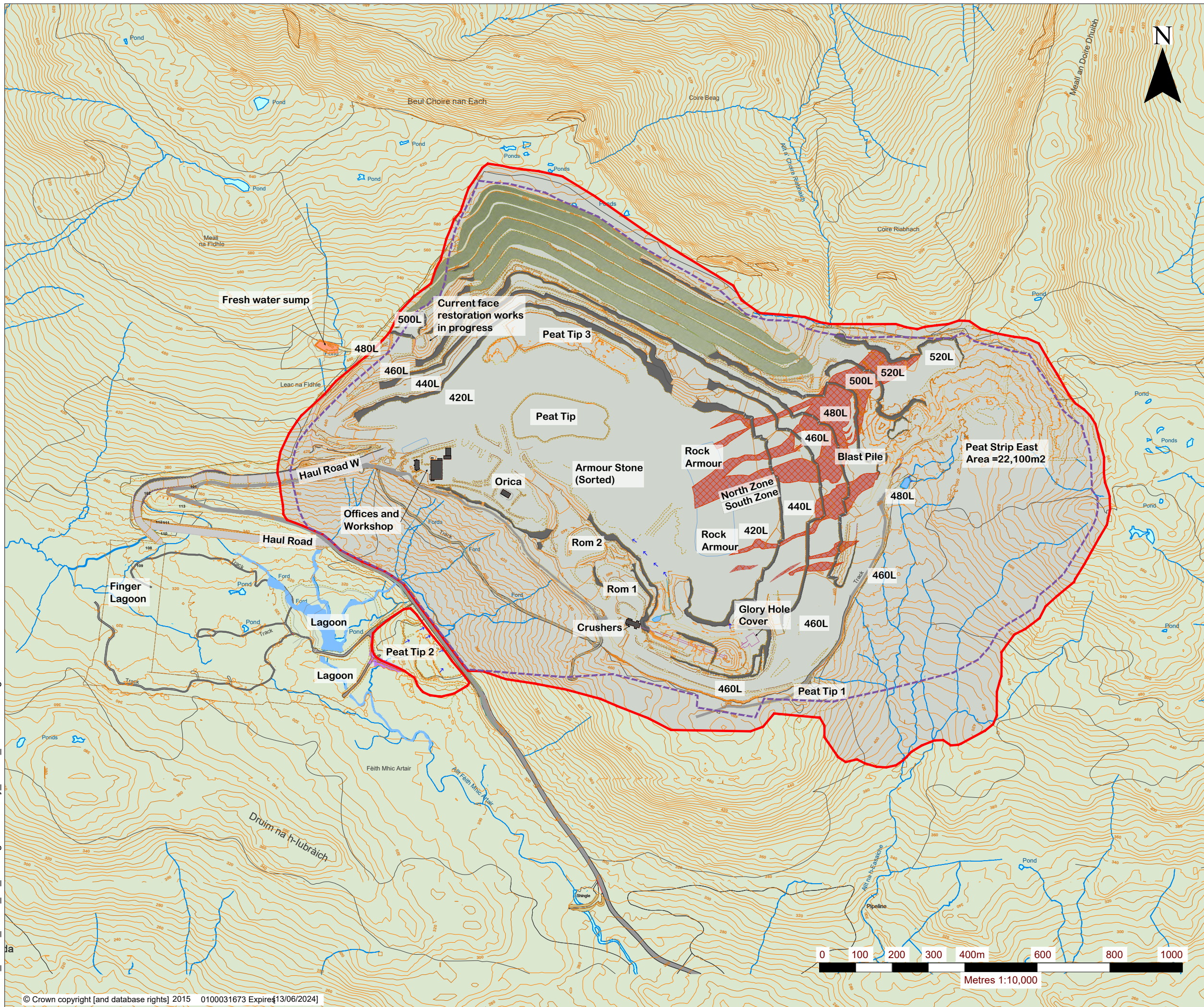


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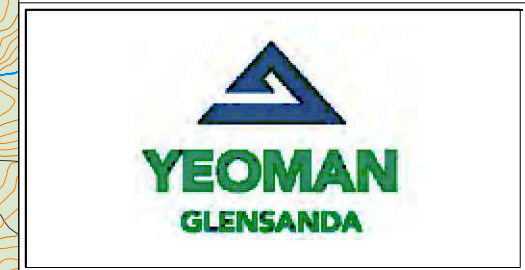
GLENSANDA QUARRY
LANDSCAPE AND VISUAL EFFECTS
ORIGINAL VIEWPOINT LOCATIONS
AND SIGHTLINE SECTION POSITIONS
GQ L/11a

Scale 1:100,000@A3	Date JULY 2023
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230810_00275_00258_29_Existing Site Survey_Year 0_GP DP 01.dwg



LEGEND	
	APPLICATION BOUNDARY
	EXTRACTION BOUNDARY
	CONTOURS
	QUARRY FACE RESTORED
	QUARRY FACE
	SOFT GRANITE
	EXISTING ROAD
	NEW HAUL ROAD
	ELEVATION (mAOD) OF BENCH



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GLENSANDA QUARRY
QUARRY DEVELOPMENT
EXISTING SITE SURVEY
YEAR 0

GQ DP/01

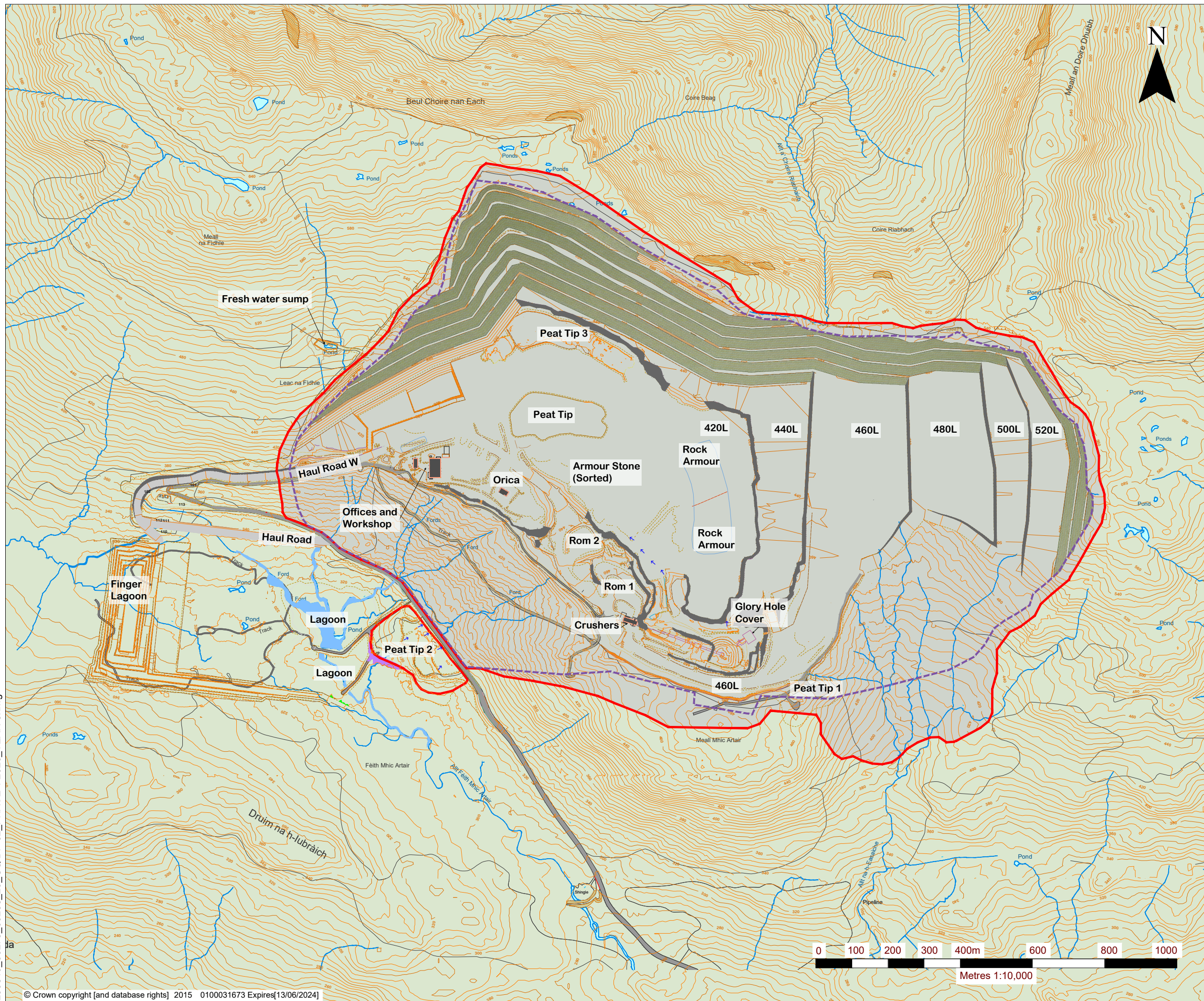
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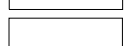
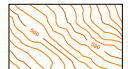
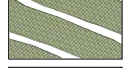




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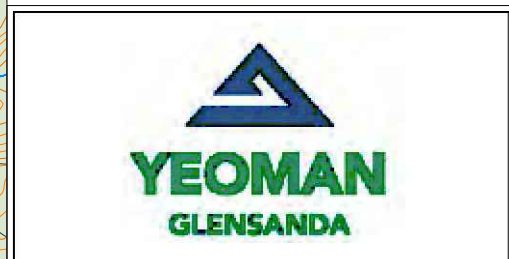
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230810_00275_00258_29_GQ DP 02_PHASE 1 2028_YEAR 5.dwg



LEGEND

-  APPLICATION BOUNDARY
-  EXTRACTION BOUNDARY
-  CONTOURS
-  QUARRY FACE RESTORED
-  QUARRY FACE
-  EXISTING ROAD
-  NEW HAUL ROAD
-  ELEVATION (mAOD) OF BENCH

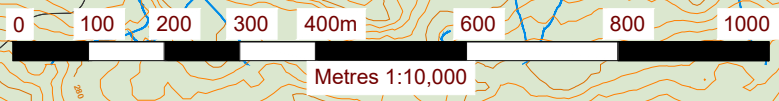


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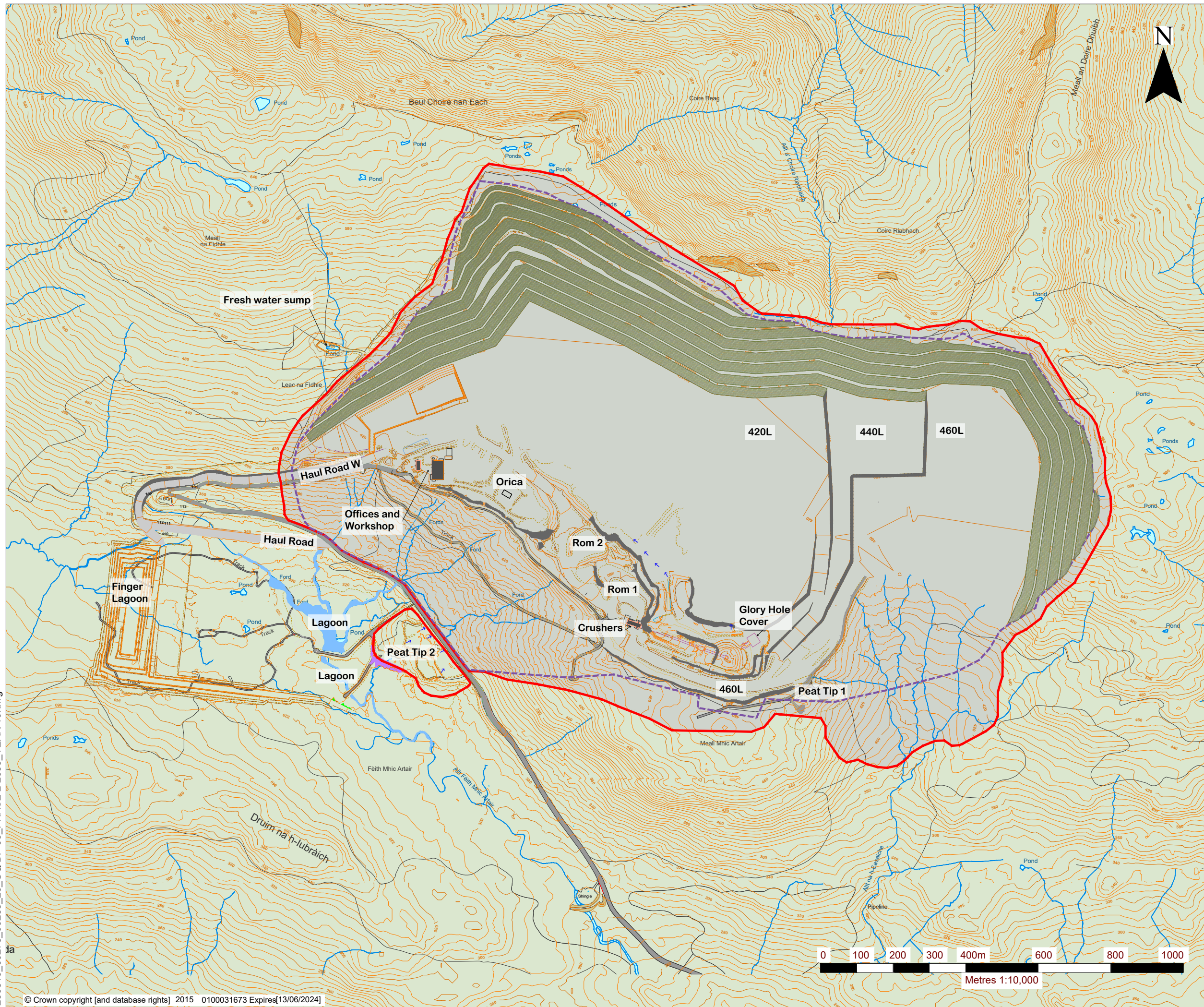
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QUARRY DEVELOPMENT
PHASE 1 - 2028
YEAR 5
GQ DP/02

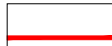

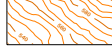





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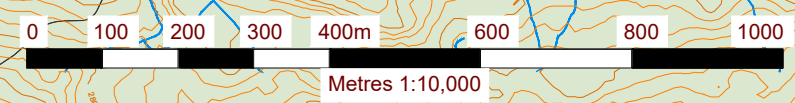



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LEGEND

-  APPLICATION BOUNDARY
-  EXTRACTION BOUNDARY
-  CONTOURS
-  QUARRY FACE RESTORED
-  QUARRY FACE
-  EXISTING ROAD
-  NEW HAUL ROAD
-  420L ELEVATION (mAOD) OF BENCH





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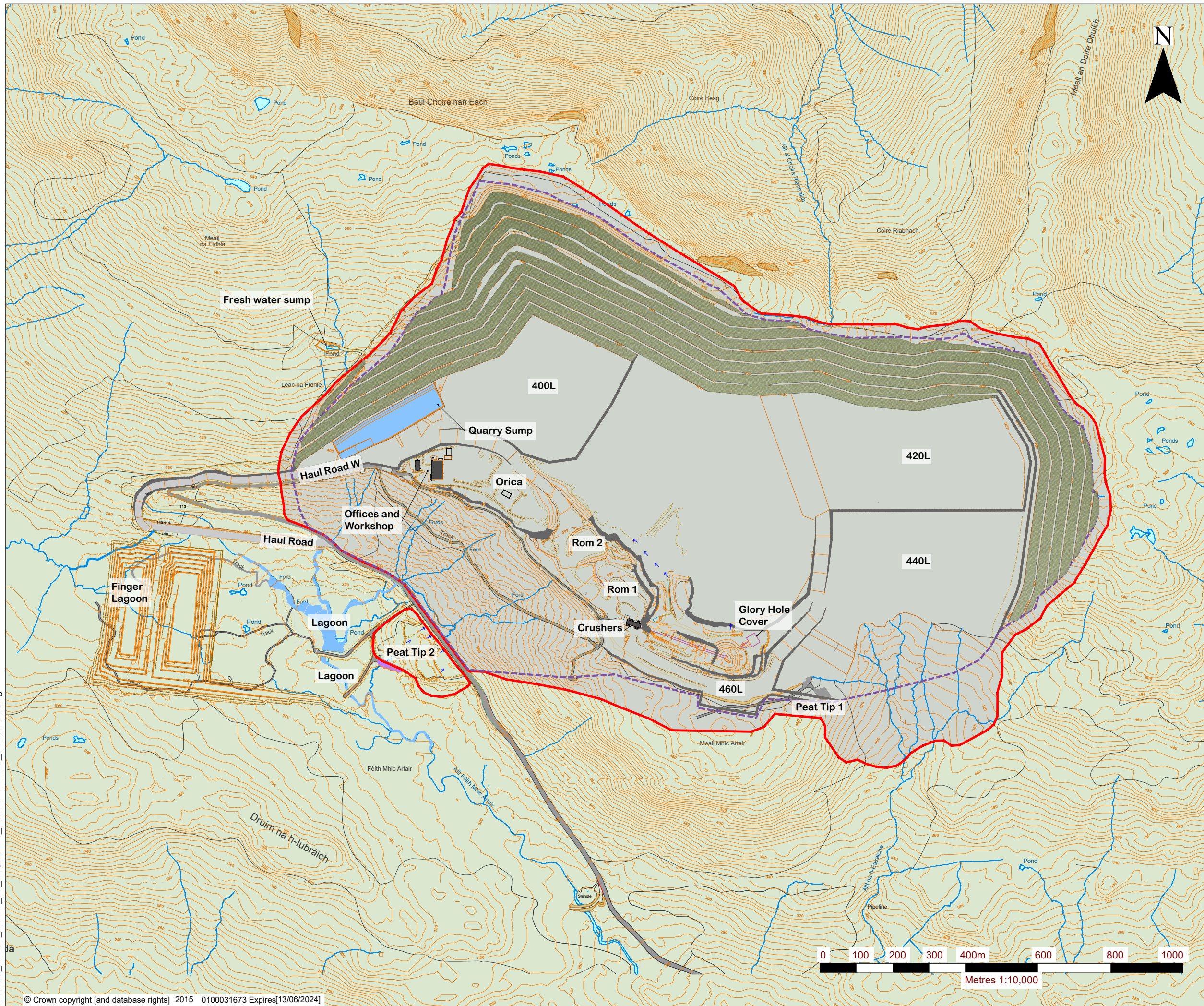
**GLENSANDA QUARRY
QUARRY DEVELOPMENT**

**PHASE 2 - 2033
YEAR 10**




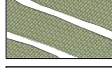



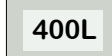
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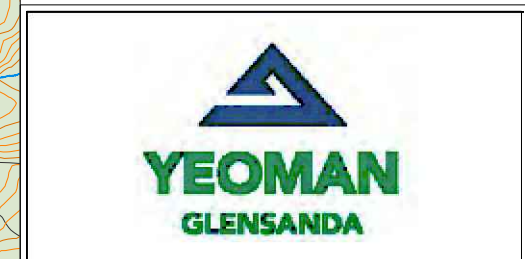
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LEGEND

-  APPLICATION BOUNDARY
-  EXTRACTION BOUNDARY
-  CONTOURS
-  QUARRY FACE RESTORED
-  QUARRY FACE
-  EXISTING ROAD
-  NEW HAUL ROAD
-  400L ELEVATION (mAOD) OF BENCH

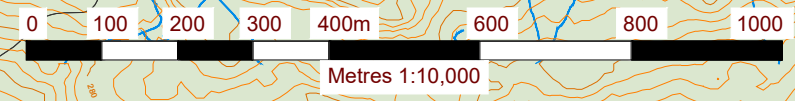


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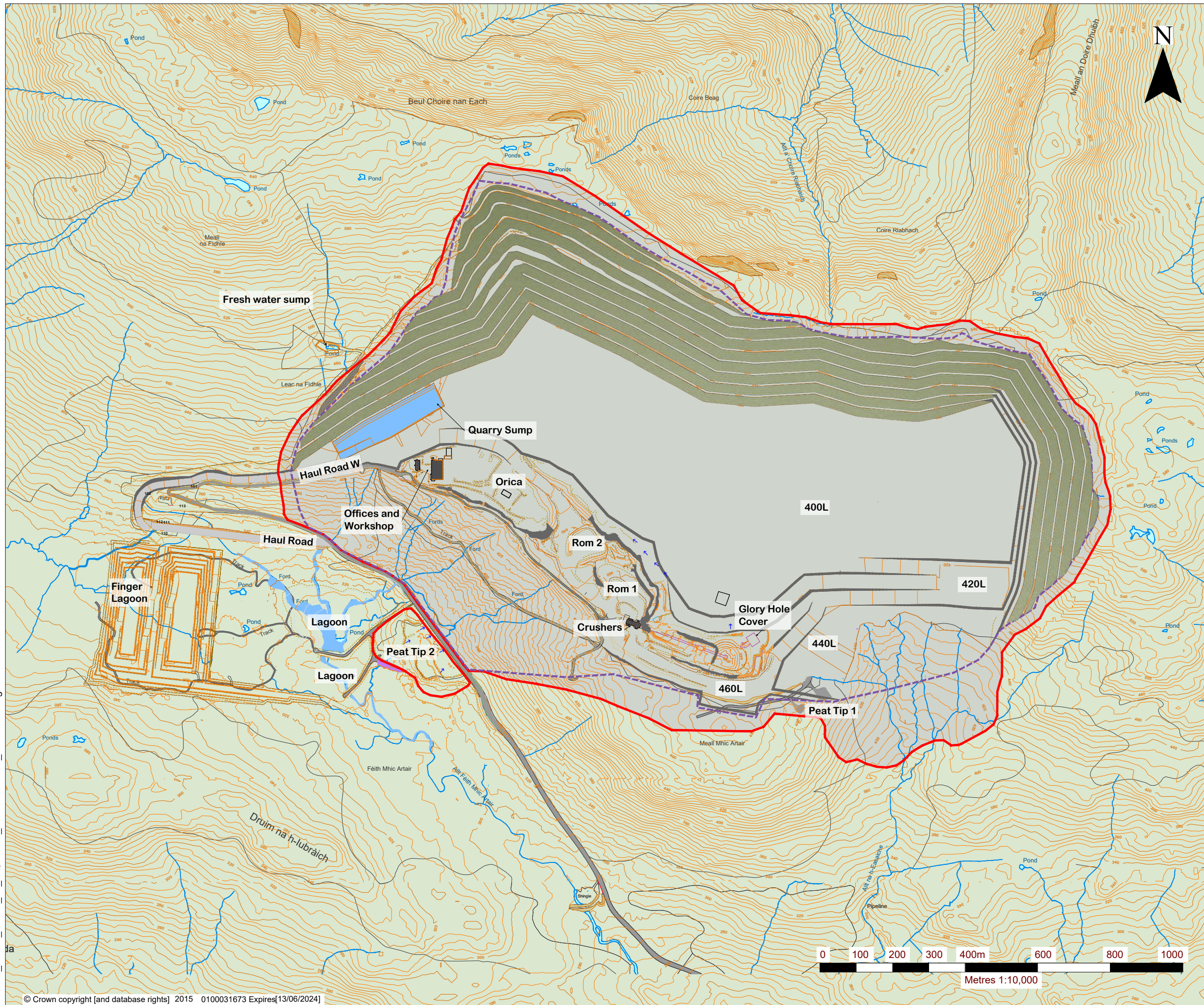
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PHASE 3 - 2038
YEAR 15
GQ DP/04

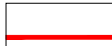

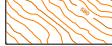





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LEGEND

-  APPLICATION BOUNDARY
-  EXTRACTION BOUNDARY
-  CONTOURS
-  QUARRY FACE RESTORED
-  QUARRY FACE
-  EXISTING ROAD
-  NEW HAUL ROAD
-  ELEVATION (mAOD) OF BENCH

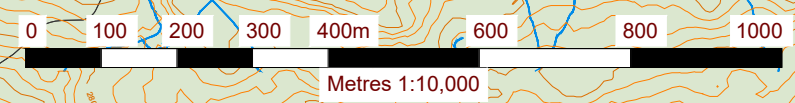


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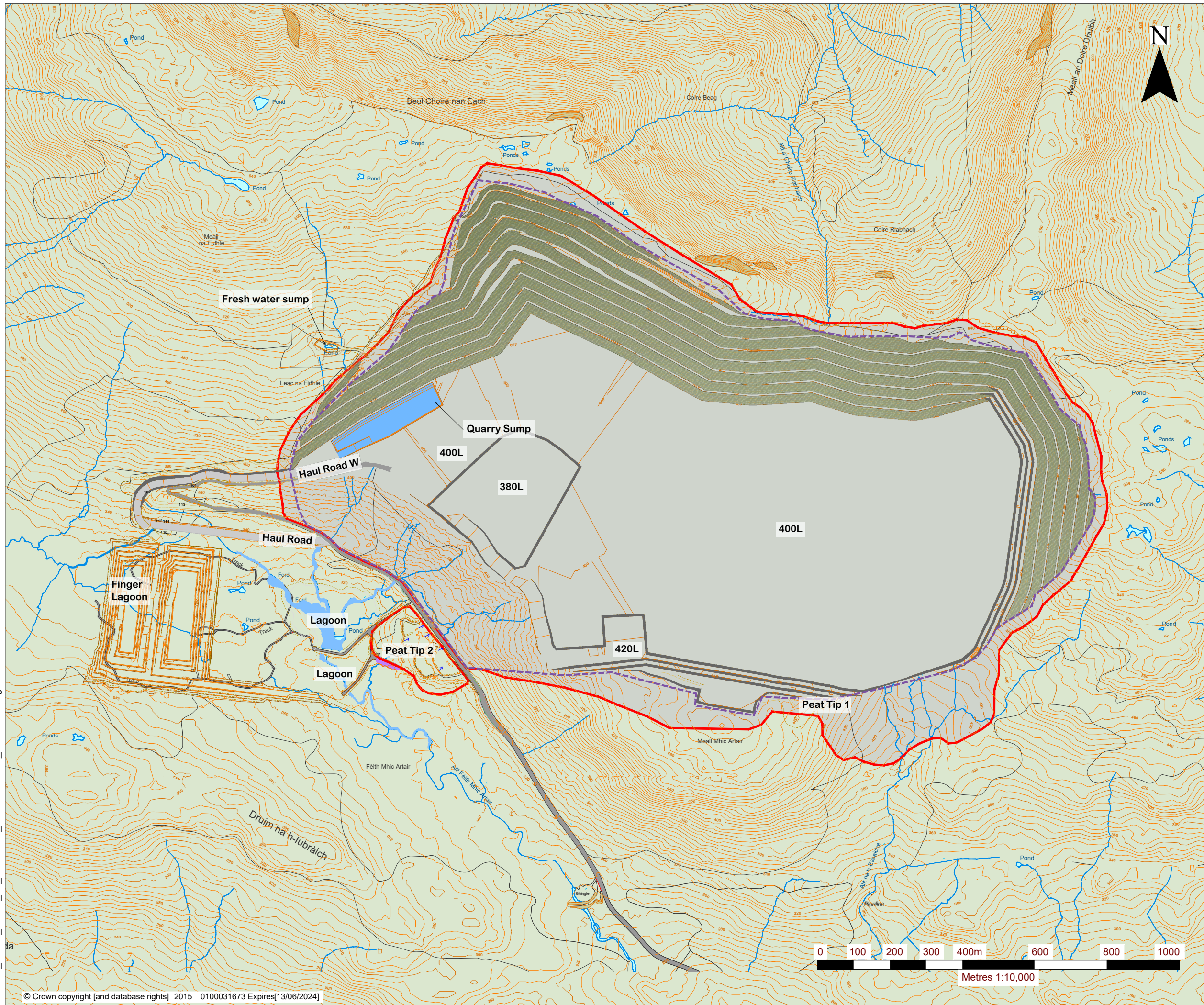
GLENSANDA QUARRY
QUARRY DEVELOPMENT

PHASE 4 - 2043
YEAR 20

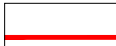






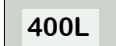
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LEGEND

-  APPLICATION BOUNDARY
-  EXTRACTION BOUNDARY
-  CONTOURS
-  QUARRY FACE RESTORED
-  QUARRY FACE
-  EXISTING ROAD
-  NEW HAUL ROAD
-  400L ELEVATION (mAOD) OF BENCH



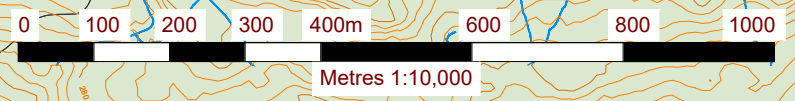
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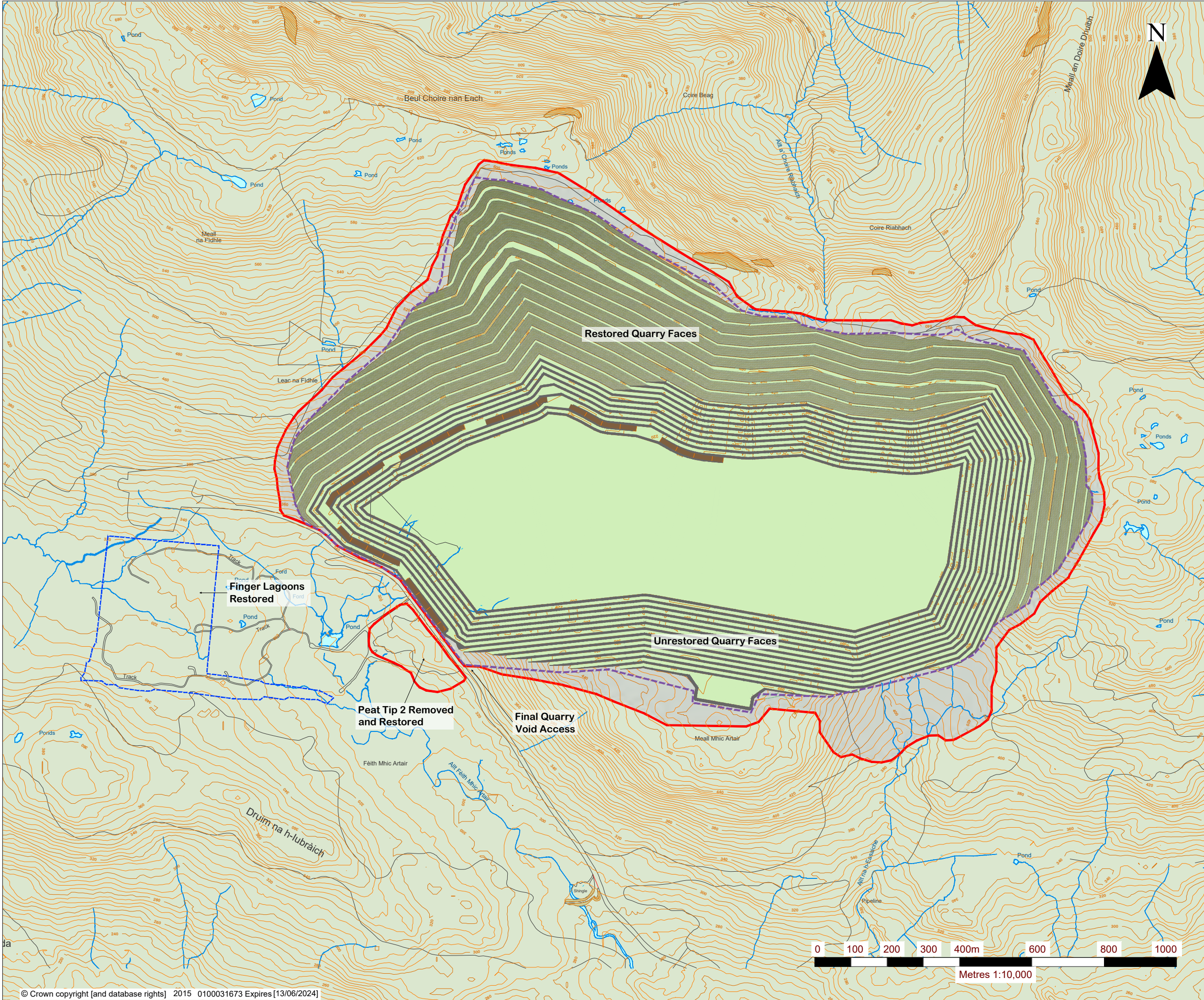
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 PHASE 5 - 2048
 YEAR 25
 GQ DP/06



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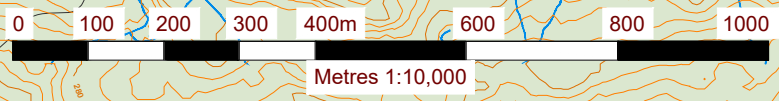


LEGEND

- APPLICATION BOUNDARY
- EXTRACTION BOUNDARY
- CONTOURS
- QUARRY FACE RESTORED
- QUARRY FACE
- QUARRY BASE
- RAMP

230724_00275_00258_29_GQ DP 07_FINAL EXTRACTION QUARRY VOID.dwg

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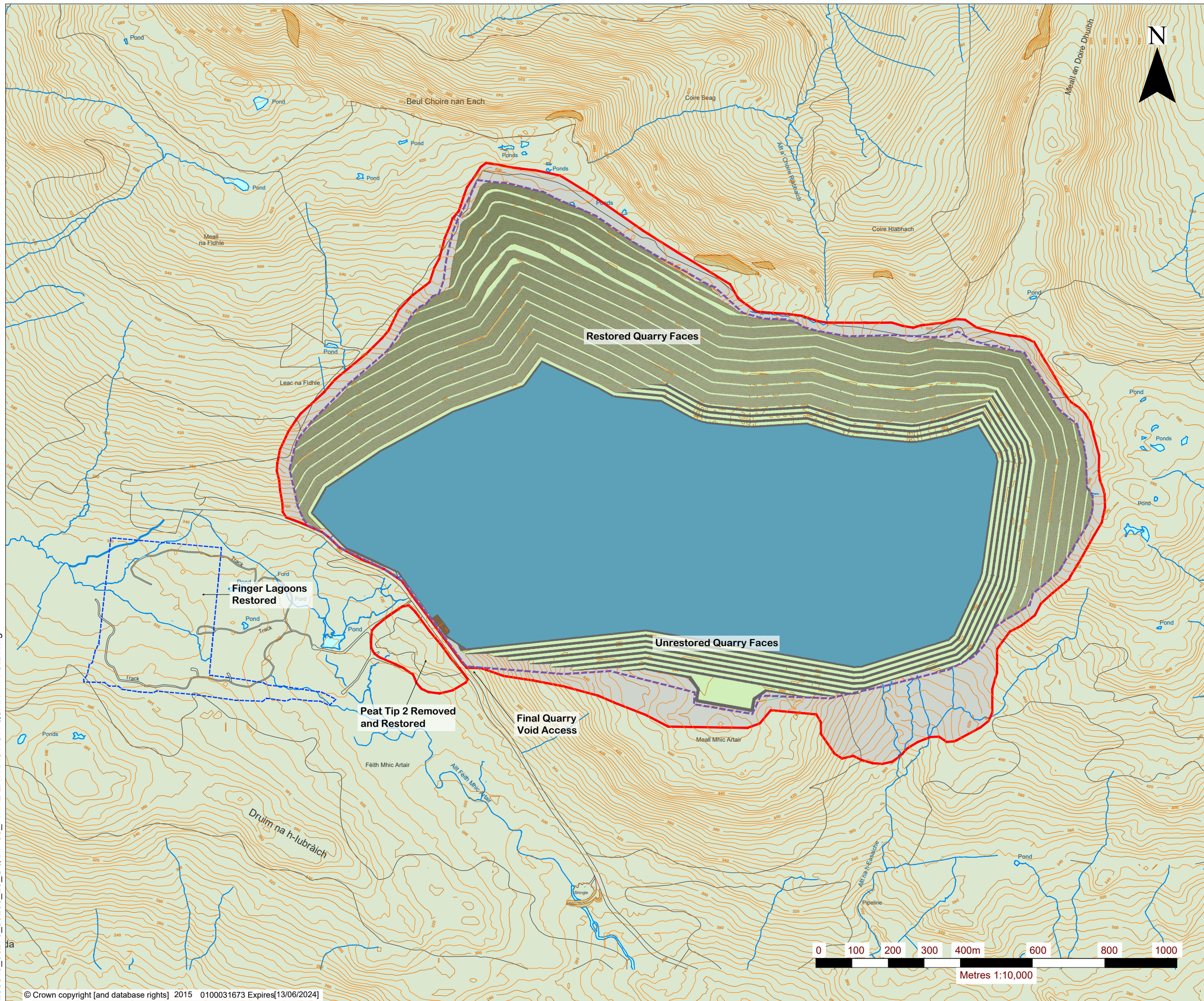
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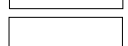

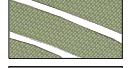



GLENSANDA QUARRY
QUARRY DEVELOPMENT
FINAL EXTRACTION
QUARRY VOID
GQ DP/07

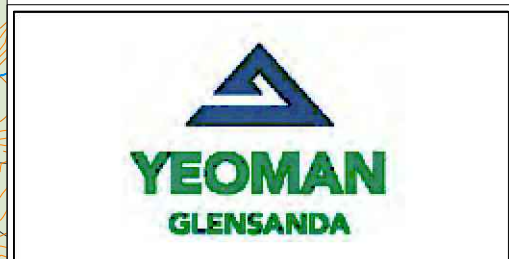
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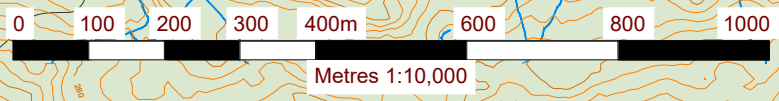


LEGEND

-  APPLICATION BOUNDARY
-  EXTRACTION BOUNDARY
-  CONTOURS
-  QUARRY FACE RESTORED
-  QUARRY FACE
-  WATER BODY
-  RAMP



GLENSANDA QUARRY
QUARRY DEVELOPMENT
FINAL EXTRACTION
QUARRY VOID FLOODED OPTION
GQ DP/08



Scale 1:10,000@A3 Date JULY 2023