

**PLANNING PERMISSION  
SUBJECT TO CONDITIONS**

Grid Reference	N	H	7	1
			3	9
Reference No.	IN		1997	613

**THE HIGHLAND COUNCIL  
TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997**

To: **Tilcon (Scotland) Ltd**  
c/o Mason Evans Partnership Ltd  
The Clydeaway Skypark  
8 Elliot Place  
GLASGOW G3 8EP

With reference to your application dated 17 July, 1997 for planning permission under the above-mentioned Act for the following development, viz: -

**Extension to an existing hard rock quarrying operations and consolidation of all existing planning consents, Daviot Quarry, Inverness**

The Highland Council in exercise of its powers under the above-mentioned Act 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 Section 58 (1) of the Town and Country Planning (Scotland) Act 1997, this permission 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:-

**Scope of this permission**

1. Permission is hereby granted for a temporary period of 20 years from the date of this decision notice. All operations shall be undertaken entirely in accordance with the submitted application and supporting drawings and information docquetted as relevant hereto, unless amended by the terms of these conditions.
2. Before the expiry of this permission, or within 12 months of the abandonment or cessation of operations (whichever is the soonest), all works of final restoration and landscaping shall have been fully undertaken as approved and the site shall be fenced and secured against fly tipping or the deposition of any waste materials except that there shall be arrangements for public pedestrian access to allow the informal recreational use of the restored quarry area.

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Planning & Development Service**

Planning permission subject to conditions.

NOTIFICATION TO BE SENT TO APPLICANT ON REFUSAL OF PLANNING PERMISSION OR ON THE GRANT OF PERMISSION SUBJECT TO CONDITIONS.

1. If the applicant is aggrieved by the decision of the planning authority to refuse permission for or approval of reserved matters in respect of the proposed development, or to grant permission or approval subject to conditions, he may appeal to the Secretary of State under section 47 of the Town and Country Planning (Scotland) Act 1997 within six months from the date of this notice. The appeal should be addressed to the Chief Reporter, Scottish Office Inquiry Reporter's Unit, 2 Greenside Lane, Edinburgh EH1 3AG.

2. If permission to develop land is refused or granted subject to conditions, whether by the planning authority or by the Secretary of State, and the owner of the land claims that the land has become incapable of reasonably beneficial use in its existing state and cannot be rendered capable of reasonably beneficial use by carrying out of any development which has been or would be permitted, he may serve on the planning authority a purchase notice requiring the purchase of his interest in the land in accordance with Part V of the Town and Country Planning (Scotland) Act 1997.

NOTES

It should be understood that this permission does not carry with it any necessary consent from the Buildings Authority, Scottish Environmental Protection Agency, or approval to the proposed development under other statutory enactments.

It should be understood that this permission does not imply:

that there are no physical restrictions upon development, such as overhead or underground services, diversion or protection of which will be the developer's responsibility, with the prior consent of the appropriate supply authority,

that mains water, drainage or other public services are, or will be available, or,

that financial assistance from public funds is available towards the cost of provision of services or any aspect of the development.

Enquiries should be directed to the appropriate supply authorities.

Details of the final restoration scheme, afteruse, and arrangements for aftercare, shall be submitted for prior approval either within 12 months of the cessation or abandonment of operations, if sooner, or otherwise no later than 12 months before the expiry of this permission. At final restoration all buildings, plant equipment structures and erections shall be removed from the quarry; all stockpiles of whatever nature shall be removed or graded into the final landform; all sedimentation ponds shall be backfilled and the quarry left in a self draining condition, and the quarry shall be graded and landscaped to the satisfaction of the planning authority.

- 3. Before operations commence on the extended area the quarry boundary shall be securely fenced sufficient to deter intrusion by the public or animals around or into the quarry area. This fencing shall be maintained throughout the operational life of the quarry.
- 4. This permission shall supersede all previous planning permissions for quarrying or related works or operations within the site.

**Operating hours**

- 5. The quarry shall operate only between the hours of 7.00am to 6.00pm Monday to Friday and 7.00am to 4.00pm on Saturdays and not at all on Sundays other than essential repair and maintenance. Proposals to operate outwith these hours for purposes of maintenance or to supply product shall only be considered in exceptional circumstances and shall require the prior written approval of the planning authority.

**Blasting**

- 6. No blasting operations shall take place outwith the hours of 9.00am to 5.00pm Monday to Friday and not at all on Saturdays or local public holidays. The public in the locality shall be given adequate warning of blasting operations. In addition to normal good practice to protect property from adverse blasting effects, the operators shall ensure that no blasting operations shall create ground vibrations which exceed 25mm/s when measured at the public water supply tank located at GR NH 7155039065 or its connecting water main.

Noise Control

- 7. The operators shall ensure that noise emitting from quarry operations shall not exceed 55 dbLAeq 1-Hr when measured at the nearest noise sensitive premises surveyed and identified in supporting information comprising:-

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Daviot School Buildings  
Croft Hill Bed and Breakfast  
Police Station  
Craggie Villas

- 8. The operators shall ensure that noise emitting from quarry operations shall not exceed 45 dbLAeq 1-Hr when measured at the property "Larchfield" surveyed and identified in supporting information.
- 9. Notwithstanding the provisions of conditions 7 and 8 above, during operations for the construction of baffle mounding and soil stripping, a temporary raised noise limit of maximum 70 dbLAeq 1-Hr will be permitted for these operations alone, up to a maximum period of 8 weeks during any year. All such operations shall only be undertaken within normal quarry operating hours as specified in condition 5.

Dust Control

- 10. The operators shall at all times exercise best practice to limit dust arisings from quarry operations and shall in particular dampen haul roads and stockpiles during dry periods of weather or in windy conditions such as to prevent dust nuisance arising in any sensitive properties outside the quarry boundaries.

Prevention of Pollution to Ground Water or Watercourses

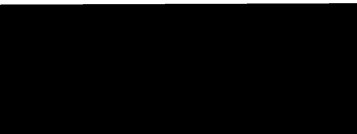
- 11. In the operation of the quarry the operators shall ensure that all relevant precautions are undertaken to prevent spillage of oil, fuel or other substances such as to contaminate ground water or the water treatment system within the quarry. Surface drainage arrangements shall ensure the collection and routing of surface water through the quarry sedimentation ponds before discharge in accordance with prior authorisation by the Scottish Environmental Protection Agency.

**Archaeology**

- 12. Before any works of top soil stripping and over burden removal are undertaken or any works in the vicinity of the Dun Davie Scheduled Monument, prior notification will be given to the Highland Council Archaeologist and an opportunity afforded to allow access and ground inspection during site preparation or restoration operations. Arrangements shall be agreed to safeguard and/or record any features or structures of archaeological interest.

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**Amenity, Monitoring and Progressive Restoration**

- 13. Before the second anniversary and each subsequent 2 year period during the lifetime of this permission, an audit of quarry operations shall be prepared and submitted to the Planning Authority to show the current extent of quarry extraction and stockpiles, the location of all plant equipment structures and erections, and progressive restoration operations including landscaping works, all in accordance with the proposals hereby approved.
- 14. The screen mounding and noise baffle to be formed on the south west facing boundary of the extended quarry area shall be formed, seeded and tree planted at the earliest opportunity consistent with the generation of overburden and top soil from the working. Within 6 months of the date of this permission, proposals for the earliest formation of this feature, its phasing and landscaping, shall be submitted for the further prior approval of the Planning Authority.
- 15. Before any phases of restoration commence the developer shall submit for prior approval a detailed planting schedule to include ground preparation, surface vegetation, shrubs and tree species. All landscape planting shall be of appropriate indigenous species, native to the area. Progressive restoration shall be undertaken as approved in accordance with progressive phases of quarry operation and in any case no later than the first planting season following the opening-up and commencement of extraction of the next subsequent phase of operation. All landscaping undertaken shall be fully maintained and any plant stock which may fail during the first 5 years after planting shall be replaced to the satisfaction of the planning authority

REASONS

- 1-4 In the interests of amenity, to clarify the scope of the permission for the avoidance of doubt and to ensure the quarry area is properly fenced.
- 5-11 To prevent nuisance arising and to avoid pollution of groundwater
- 12 To safeguard archaeological interest
- 13-15 To monitor quarry operations and to ensure early and progressive restoration in the interests of amenity

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