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| Agenda Item | 6.6 |
| Report No | PLN/044/23 |

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 7 June 2023
Report Title: 22/03417/S42: Munro Construction (Highland) Ltd
Land 200M North Of Rhicullen Farm, Invergordon
Report By: Area Planning Manager - North

Purpose/Executive Summary

Description: Application under Section 42 to amend condition 2 of 04/00501/FULRC
- extend sand and gravel workings by 10 years
Ward: 06 – Cromarty Firth
Development category: Major Development
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 The application is made under Section 42 of the Town and Country Planning (Scotland) Act to extend the time limit which was attached to the most recent approval for the operation of a quarry extracting sand and gravel at the existing Heathfield Quarry. The last permission on the site (04/00501/FULRC) was granted for the extraction of sand and gravel on 29 October 2007. Processing and plant associated with this earlier physical extension of quarry workings was to be via the existing plant and traffic arrangements as permitted under 05/00126/FULRC and subject to the application running concurrently with this one under 22/04314/S42.

Condition 2 of 04/00501/FULRC specifies:

From the date of such commencement, this permission shall endure for a period of fifteen years only, before which time all working shall have ceased and the site and haul road shall be fully restored in accordance with the approved plans and the following planning conditions and to the written satisfaction of the Planning Authority. Similarly, if working should cease for any period exceeding six months prior to expiry of this permission, the site shall be fully restored to the written satisfaction of the Planning Authority within six months of the cessation of working.

- 1.2 The fifteen-year expiry date was 29 October 2021. The applicant is therefore seeking to regularise the current operation of the quarry. Historically, Heathfield Quarry has been subject to two separate planning applications. This is the westernmost side of the quarry which is the more recently worked area of the two. This side of the quarry is located toward Newmore and sand and gravel are still being extracted from this part of the quarry. It is proposed that material will be extracted from this side of the site and transferred via a haul road to be stored and graded on the easternmost side of the site which is shared with a waste transfer/green composting facility. The continued operation of the easternmost side of the site is also subject to a planning application to continue to use the area for storage and regrading under 22/003414/S42. The two sites share a boundary and a haul road connects the two.

- 1.3 The Planning Authority has the opportunity to review the proposals and amend and update the conditions as necessary. This application runs alongside an application lodged under 22/03414/S42 which seeks to continue to extend the operational life of the eastern side of the site and is currently before members for consideration. Historically the wider quarry has been subject to two separate planning applications, this side being the original quarry and the eastern side of the site toward Wester Lonvine being a subsequent extension.

- 1.4 Pre Application Consultation: None

- 1.5 Supporting Information:

- Supporting Statement
- Operational Management Plan

- 1.6 Variations:

- Composite Quarry Plan
- Extraction Plan
- Reinstatement Plan
- Reinstatement Phases
- Operational Management Plan

2. SITE DESCRIPTION

2.1 The site is located at Wester Lonvine to the north east of Newmore/Rhicullen and comprises the existing operational Heathfield Quarry. Open fields and housing/holiday letting accommodation are scattered around the area surrounding the site.

An existing access to the site is taken via the U1904 Tullich Muir – Kindeace – Northfield Road. The site access comprises a bellmouth, the access into the site is not fully surfaced. The site comprises the established sand and gravel quarry.

This part of the site still contains reserves to be extracted within a north westerly portion of the site. The Extraction Phasing Plan submitted with the application shows an area measuring approximately 2.5ha still has reserves to be extracted in 3 phases between 2023 and 2029 for a period of 9 years with an extra year for finishing any restoration works.

A haul road runs between this part of the site and the exhausted area of the quarry, used for the processing of materials won. Some reinstatement has already taken place within the site, particularly to the west and south of the site, this includes a pond, young trees to comprise a woodland area, and areas of grass have grown over.

3. PLANNING HISTORY

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| 3.1 | 4 January 2005 | 04/00501/FULRC - Proposed Sand & Gravel Workings with Processing & Traffic via Existing Plant at Heathfield | APPLICATION PERMITTED |
| | Pending Consideration | 22/03414/S42 - Section 42 application to amend condition 1 of planning permission 05/00126/FULRC to extend operational life of quarry by 10 years | n/a |

4. PUBLIC PARTICIPATION

4.1 Advertised: Yes – Ross-shire Journal
 Date Advertised: 26 August 2022
 Representation deadline: 9 September 2022

5. CONSULTATIONS

5.1 **Invergordon Community Council** No response received

- 5.2 **Environmental Health** did not respond however did respond to the concurrent application 23/03414/S42 recommending a noise related condition.
- 5.3 **Transport Planning** had no objections and noted that they are not aware of any transport related issues associated with the existing operation.
- 5.4 **SEPA** confirmed that the application falls below the threshold for consultation and refer to SEPA Standing Advice.

6. DEVELOPMENT PLAN POLICY

The following policies are relevant to the assessment of the application

6.1 National Planning Framework 4 (2023)

- Policy 1 - Tackling the climate and nature crisis
- Policy 3 - Biodiversity
- Policy 4 - Natural places
- Policy 5 - Soils
- Policy 6 - Forestry, woodland and trees
- Policy 7 - Historic assets and places
- Policy 18 - Infrastructure first
- Policy 22 - Flood risk and water management
- Policy 23 - Health and safety
- Policy 33 - Minerals

6.2 Highland Wide Local Development Plan 2012

- 28 - Sustainable Design
- 29 - Design Quality and Place-making
- 31 - Developer Contributions
- 51 - Trees and Development
- 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
- 65 - Waste Water Treatment
- 66 - Surface Water Drainage
- 72 - Pollution
- 73 - Air Quality
- 77 - Public Access

6.3 Inner Moray Firth Local Development Plan (2015):

No relevant site specific policies

6.4 **Proposed Inner Moray Firth Local Development Plan (2022):**

Policy 2 - Nature Protection, Preservation and Enhancement

6.5 **Highland Council Supplementary Planning Policy Guidance**

Developer Contributions (March 2018)

Flood Risk and Drainage Impact Assessment (Jan 2013)

Highland Historic Environment Strategy (Jan 2013)

Highland's Statutorily Protected Species (March 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 Nosie (2011)

PAN 2/2011 - Planning and Archaeology (2011)

Guidance on the Management of Extractive Waste (Scotland) Regulations

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.

Determining Issues

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 key considerations in this case are:

- a) compliance with the development plan and other planning policy
- b) access and transport
- c) noise, vibrations and residential amenity
- d) any other material considerations

Development plan/other planning policy

- 8.4 Since the consideration of the original application there have been a number of changes to Development Plan policy.
- 8.5 The key issue therefore is whether the amendment of the condition applied for would result in the development being incompatible with current Development Plan. The remainder of this report will consider the amendment proposed and assess its compatibility with the Development Plan.
- 8.6 National Planning Framework 4 was adopted in February 2023, all proposals now require to be considered under NPF4 alongside the HwLDP and adopted and proposed IMFLDPs as necessary. Policy 33 Minerals of NPF4 in specific reference to part d) which relates to extraction of minerals states that development proposals for the sustainable extraction of minerals will only be supported where they:
- i. will not result in significant adverse impacts on biodiversity, geodiversity and the natural environment, sensitive habitats and the historic environment, as well as landscape and visual impacts;
 - ii. provide an adequate buffer zone between sites and settlements taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, and the characteristics of the various environmental effects likely to arise;
 - iii. can demonstrate that there are no significant adverse impacts (including cumulative impact) on any nearby homes, local communities and known sensitive receptors and designations;
 - iv. demonstrate acceptable levels (including cumulative impact) of noise, dust, vibration and potential pollution of land, air and water;
 - v. minimise transport impacts through the number and length of lorry trips and by using rail or water transport wherever practical;
 - vi. have appropriate mitigation plans in place for any adverse impacts;
 - vii. include schemes for a high standard of restoration and aftercare and commitment that such work is undertaken at the earliest opportunity. As a further safeguard a range of financial guaranteed options are available, and the most effective solution should be considered and agreed on a site-by-site basis. Solutions should provide assurance and clarity over the amount and period of the guarantee and in particular, where it is a bond, the risks covered (including operator failure) and the triggers for calling in a bond, including payment terms.
- 8.7 In terms of the HwLDP Policy 53 – Minerals it is stated that the Council will support extensions to existing sites or operations, or the re-opening of dormant quarries before new sites are to be considered.
- 8.8 All minerals developments will have to provide information on pollution prevention, restoration, and mitigation proposals. Restoration should be carried out in parallel with excavation where possible. Otherwise, it should be completed in the shortest time practicable. Planning conditions will be applied to ensure that adequate provision is made for the restoration of workings. The Council will expect all minerals developments to avoid or satisfactorily mitigate any impacts on residential amenity,

the natural, built, and cultural heritage, and infrastructure capacities. After uses should result in environmental improvement rather than just restoring a site to its original state. After uses should add to the cultural, recreational, or environmental assets of an area. A financial guarantee may be sought.

Amendment to Condition 2

- 8.9 The applicant has sought to modify the wording of the condition to allow for the working of the quarry for a further 10 years. There are no technical concerns such as stability; impact on the water environment; or landscape impacts. In principle, the extension of time for working of the quarry is supported, as is the winning of further minerals from an existing quarry is supported by the relevant policies of NPF4 and the Highland-wide Local Development Plan. However, these modifications to the permission can only be supported if appropriate conditions exist to ensure appropriate environmental mitigation is in place and the site is satisfactorily restored.
- 8.10 An application submitted under S42 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 the extant planning permission, it is considered appropriate to revisit all the conditions attached to the original permission to ensure the wording is in line with current good practice and to ensure the conditions are suitable to regulate the proposed development. This is also reflected in the responses of consultees. In doing so, this has provided an opportunity to strengthen the terms of the conditions and provide greater clarity as to the requirements of these, including the information required to satisfy the conditions. As there is an application to extend the period of time on the adjacent application site being considered concurrently with this application submitted under 22/03414/S42. The same conditions as recommended by consultees shall be attached to both to ensure that the existing and proposed operational areas are subject to the same conditions for the avoidance of doubt. Suspensive conditions and conditions which were recommended on the earlier consent which are controlled under other regulatory bodies are not recommended to be re-attached to this consent.

Access and Transport

- 8.11 The site is operational, and Transport Planning have not raised any objections to the proposals. On visiting the site it was noted that the track at the site access was not of a fully bound surface, the original consent required the access to be fully bound in bituminous macadam for a distance of 35m. This does not appear to have been done. It is therefore considered reasonable to secure 12m surfacing of the site access into the site (as has been recommended on other recent quarry applications) in order to mitigate potential impact to the road network from loose material being dragged onto the road. A condition is therefore recommended to secure this.

Noise, Vibration and Residential Amenity

- 8.12 It was noted by Environmental Health in their consultation response to the concurrent application 23/03414/S42 that there have been no recent noise complaints regarding this site. A condition is recommended to continue to protect neighbouring amenity which restricts the hours at which operational noise can be carried out. Other conditions related to amenity as attached to the earlier consent have been re-attached/amended as appropriate. These include measures to mitigate dust, noise and blasting within the site. The continued operation of the quarry is not considered to raise any significant issue in terms of residential amenity and no objections have been received.

Restoration Scheme

- 8.13 The previous consent under 04/00501/FULRC required the restoration of this part of the site. It was previously agreed that this would be restored to agricultural land and be subject to reinforced planting and wetland. These works were not fully carried out. Updated restoration plans submitted in support of this application show that the restoration scheme/plans have now changed since the earlier permission. It is envisaged that restoration on this part of the site will be completed by 2028. Planting has been carried out to the western portion of the site where trees are becoming established. New woodland planting is proposed around the current area of extraction. This is considered to be acceptable, and the plans shall form approved documents within the revised consent. A condition is recommended to secure timeous delivery of this.

Other material considerations

- 8.14 There are no other material considerations.

Non-material considerations

- 8.15 None

Matters to be secured by Legal Agreement / Upfront Payment

- 8.16 In order to ensure that the restoration is completed and that the Local Authority can pick up the costs of restoring the site in the event that the business ceases to operate at the site for any unexpected reason a financial guarantee will be required. This will be secured via 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.

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 commencement of development and every five years thereafter until such time as the quarry is decommissioned and the site is fully restored.
- 8.17 The applicant has four months from the date that the Council's solicitor writes to the Applicant/Applicant's solicitor indicating the terms of the legal agreement or other

appropriate mechanism to secure mitigation for the impacts of the development agreed by the Planning Service, to deliver to the Council a signed legal agreement. Should an agreement or other appropriate mechanism to secure the mitigation agreed by the Planning Service not be delivered within four months, the application may be refused under delegated powers 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 33 of NPF4 and Policy 54 of the Highland-wide Local Development Plan.

9. CONCLUSION

- 9.1 The extension of time for working the quarry with the originally consented parameters is considered to be acceptable. There will be no additional landscape, visual or amenity impacts arising from the continued operation within the originally consented parameters. Subject to the application of appropriate conditions, the development is unlikely to have a significant adverse impact on the environment or residential amenity.
- 9.2 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 | Conclusion Agreement to restoration bond | of to | Legal secure |
|--|---|--|-------|--------------|
| Notification to Scottish Ministers | N | | | |
| Conclusion of Section 75 Obligation | Y | | | |
| Revocation of previous permission | N | | | |

Subject to the above actions, it is recommended to

GRANT the application subject to the following conditions and reasons

1. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 14 June 2033 (the 'cessation date') within which time all extractions and working and winning of aggregates shall have ceased, all plant, buildings and machinery shall have been removed and the site shall have been restored to the satisfaction of the Planning Authority. In the event that working ceases for a period of more than 6 months prior to the expiry of this permission then the site shall be restored to the satisfaction of the Council within 12 months from the cessation of working, or in any case before the expiry of this permission.

Reason: In recognition of the temporary nature of the proposed development, to enable the Planning Authority to reassess the impact of the development after a given period of time and secure removal and restoration.

2. Within six months of the date of this decision the quarry access shall be fully surfaced in bound road stone for a minimum of 12m from the road verge into the site to the satisfaction of the Planning and Roads Authorities.

Reason: In order to ensure that the safety and operation of the public road is not compromised due to vehicles dragging loose chippings from the site onto the public road.

3. All lorry traffic shall be routed via the Tomich road junction with the A9 trunk road.

Reason: In the interests of road safety.

4. Except as otherwise provided by the terms of this permission, the developer shall continue to operate the development in accordance with the plans and supporting information approved under 04/00501/FULRC with no deviation therefrom unless otherwise approved in writing by the Planning Authority.

Reason: To clarify and reinforce the terms of the permissions granted at this quarry.

5. The operator of the quarry hereby approved shall submit an annual statement and illustrative drawings to the Planning Authority by 28 February each year following the commencement of this permission. The annual statement will present an audit of the workings undertaken in the preceding calendar year, illustrating: -

- i. The rates of extraction against the projected operations

- ii. Areas of final restoration delivered on site

- iii. The results of monitoring from the mitigation actions as presented in the application, the Site Environmental Management Plan and or in compliance with the conditions attached to this planning permission

- iv. The results of ongoing groundwater monitoring to sufficiently demonstrate a seasonably high ground water level

Reason: To ensure the Planning Authority can monitor the workings undertaken and retain effective control over the dry quarry operations.

6. Throughout the period of work, restoration and aftercare, the applicant shall protect and maintain or divert any ditch, stream, watercourse or culvert passing through the site so as to not impair the flow, nor render less effective drainage onto and from adjoining land.

Reason: In order to prevent pollution of the water environment.

7. There shall be no operation of the quarry outwith the hours of 0800am to 0800pm Monday to Saturday inclusive and not at all on Sundays or public holidays.

Reason: In the interest of amenity.

8. Operations, including vehicle movements but not blasting, associated with this development, for which noise is audible at the curtilage of any noise sensitive property, shall only be permitted between:

i. 0800 hours and 1900 hours Monday to Friday; and

ii. 0800 hours and 1300 hours on Saturdays.

Noise arising from quarry operations shall not exceed the background level (LA90) by more than 5 dB(A) or a fixed limit of 40dB(A) whichever is higher, as measured as a 1 hour Leq at the curtilage of any noise sensitive property during permitted operating hours.

Noise levels during the permitted operational hours may exceed the above limits during certain operations namely; soil stripping, mound construction and landscaping. Noise levels during such operations shall not exceed LAeq(1hr) 70 dB free field. Such operations shall not take place in more than eight weeks of any calendar year. No such operations shall commence without the prior written approval of the Planning Authority

Reason: In the interest of residential amenity

9. Notwithstanding the provisions of Classes 53, 54, 55, 56, 57 or 63 of the Town & Country Planning (General Permitted Development) (Scotland) Order 1992 (or as amended), the written approval of the Planning Authority shall be required for any development within these Classes.

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

10. Any stripped overburden shall require to be stored within the site unless otherwise approved in writing by the Planning Authority.

Reason: To ensure proper reinstatement of the site.

11. At the cessation of the quarrying operations and processing an undertaking restoration of the site, the developer shall ensure:

i) That all buildings, plant and machinery or other structures are fully removed from the site;

ii) That all land is left in a self-draining condition and no ponding water shall be allowed to take place, other than the properly restored wetland area identified on the approved restoration plan.

iii) That the north-western part of the site shall be evenly graded to form the basis of an arable field and the stockpiled over burden and top soil will be carefully reapplied to provide a reinstated field suitable for cropping.

The restoration shall be carried out in accordance with the approved drawing no 00004 titled Reinstatement Plan and within the timeframes identified on the drawing no 00005 titled Reinstatement Phases, to the satisfaction of the Planning Authority.

Reason: To ensure proper reinstatement of the site within an acceptable timeframe

REASON FOR DECISION

The extension of time for working the quarry with the originally consented parameters is considered to be acceptable. There will be no additional landscape, visual or amenity impacts arising from the continued operation within the originally consented parameters. Subject to the application of appropriate conditions, the development is unlikely to have a significant adverse impact on the environment or residential amenity.

INFORMATIVES

Initiation and Completion Notices

The Town and Country Planning (Scotland) Act 1997 (as amended) requires all developers to submit notices to the Planning Authority prior to, and upon completion of, development. These are in addition to any other similar requirements (such as Building Warrant completion notices) and failure to comply represents a breach of planning control and may result in formal enforcement action.

1. The developer must submit a Notice of Initiation of Development in accordance with Section 27A of the Act to the Planning Authority prior to work commencing on site.
2. On completion of the development, the developer must submit a Notice of Completion in accordance with Section 27B of the Act to the Planning Authority.

Copies of the notices referred to are attached to this decision notice for your convenience.

Flood Risk

It is important to note that the granting of planning permission does not imply there is an unconditional absence of flood risk relating to (or emanating from) the

application site. Granting of planning permission does not remove the liability position of developers or owners in relation to flood risk.

Scottish Water

You are advised that a supply and connection to Scottish Water infrastructure is dependent on sufficient spare capacity at the time of the application for connection to Scottish Water. The granting of planning permission does not guarantee a connection. Any enquiries with regards to sewerage connection and/or water supply should be directed to Scottish Water on 0845 601 8855.

Septic Tanks and Soakaways

Where a private foul drainage solution is proposed, you will require separate consent from the Scottish Environment Protection Agency (SEPA). Planning permission does not guarantee that approval will be given by SEPA and as such you are advised to contact them direct to discuss the matter (01349 862021).

Local Roads Authority Consent

In addition to planning permission, you may require one or more separate consents (such as road construction consent, dropped kerb consent, a road openings permit, occupation of the road permit etc.) from the Area Roads Team prior to work commencing. These consents may require additional work and/or introduce additional specifications and you are therefore advised to contact your local Area Roads office for further guidance at the earliest opportunity.

Failure to comply with access, parking and drainage infrastructure requirements may endanger road users, affect the safety and free-flow of traffic and is likely to result in enforcement action being taken against you under both the Town and Country Planning (Scotland) Act 1997 and the Roads (Scotland) Act 1984.

Further information on the Council's roads standards can be found at: <http://www.highland.gov.uk/yourenvironment/roadsandtransport>

Application forms and guidance notes for access-related consents can be downloaded from:

http://www.highland.gov.uk/info/20005/roads_and_pavements/101/permits_for_working_on_public_roads/2

Mud and Debris on Road

Please note that it is an offence under Section 95 of the Roads (Scotland) Act 1984 to allow mud or any other material to be deposited, and thereafter remain, on a public road from any vehicle or development site. You must, therefore, put in place a strategy for dealing with any material deposited on the public road network and maintain this until development is complete.

Construction Hours and Noise-Generating Activities

You are advised that construction work associated with the approved development (incl. the loading/unloading of delivery vehicles, plant or other machinery), for which noise is audible at the boundary of the application site, should not normally take

place outwith the hours of 08:00 and 19:00 Monday to Friday, 08:00 and 13:00 on Saturdays or at any time on a Sunday or Bank Holiday in Scotland, as prescribed in Schedule 1 of the Banking and Financial Dealings Act 1971 (as amended).

Work falling outwith these hours which gives rise to amenity concerns, or noise at any time which exceeds acceptable levels, may result in the service of a notice under Section 60 of the Control of Pollution Act 1974 (as amended). Breaching a Section 60 notice constitutes an offence and is likely to result in court action.

If you wish formal consent to work at specific times or on specific days, you may apply to the Council's Environmental Health Officer under Section 61 of the 1974 Act. Any such application should be submitted after you have obtained your Building Warrant, if required, and will be considered on its merits. Any decision taken will reflect the nature of the development, the site's location and the proximity of noise sensitive premises. Please contact env.health@highland.gov.uk for more information.

Protected Species – Halting of Work

You are advised that work on site must stop immediately, and NatureScot must be contacted, if evidence of any protected species or nesting/breeding sites, not previously detected during the course of the application and provided for in this permission, are found on site. For the avoidance of doubt, it is an offence to deliberately or recklessly kill, injure or disturb protected species or to damage or destroy the breeding site of a protected species. These sites are protected even if the animal is not there at the time of discovery. Further information regarding protected species and developer responsibilities is available from NatureScot: <https://www.nature.scot/professional-advice/protected-areas-and-species/protected-species>

Signature: Dafydd Jones
Designation: Area Planning Manager - North
Author: Laura Stewart
Background Papers: Documents referred to in report and in case file.
Relevant Plans: Plan 1 - 000001 REV A – Location Plan
Plan 2 - 000002 – Site Layout Plan – Composite Quarry
Plan 3 - 000003 – Site Layout Plan – Extraction Plan
Plan 4 - 000004 – Site Layout Plan – Reinstatement Plan
Plan 5 - 000005 – Site Layout Plan – Reinstatement Phases