

Agenda Item	7.4
Report No	PLN/016/26

HIGHLAND COUNCIL

Committee: North Planning Applications Committee
Date: 11.03.2026
Report Title: 24/02943/FUL: A. & D. Sutherland Ltd
Caithness Flagstone Limited
Spittal Quarry
Spittal
Wick

Report By: Area Planning Manager – North

Purpose/Executive Summary

Description: Extension to Spittal Quarry for the extraction of flagstone
Ward: 03 - Wick And East Caithness
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 This application seeks full planning permission for the extension of Spittal Quarry, Watten, Caithness, to allow continued extraction, processing, and despatching of Caithness flagstone over a 25-to-30-year period. The proposed extension area covers approximately 34.6 hectares, immediately adjacent to the existing quarry, which is nearing depletion and subject to a separate restoration plan. The extension will be worked in four phases, with progressive restoration following each phase using site-won topsoil.
- 1.2 The existing quarry has been operational since the 1800s and is one of few sources of traditional Caithness flagstone in the region. The extension is proposed to maintain current output levels, with no increase in production, traffic, or plant. Approximately 7 million cubic metres of material will be extracted over the life of the quarry, with no new buildings or haul roads proposed. All operations will utilise existing infrastructure and access via the A9.
- 1.3 The proposed extraction will proceed in four phases from a south-to-north direction, with each phase reinstated prior to commencement of the next. Excavation depths will reach up to 25 metres, with flagstone extracted via cutting and overburden removed through limited annual blasting. The finished quarry profile will consist of benched rock faces, with restoration involving seeding, planting, and the creation of wetland features.
- 1.4 Soils stripped from each phase will be reused for restoration, with no stockpiling above ground level. A peninsula of land within the site will remain undisturbed to protect Spittal Farm Broch Scheduled Ancient Monument (SM582), with fencing and access tracks installed to preserve its setting and intervisibility with neighbouring brochs. A rock bund 1.5 metres in height, constructed using material sourced from Spittal Quarry, would be formed along the full length of the access track serving 'Star Cottage'. This bund would be required once extraction works progress into Phase 2, as the adjacent access track forms part of the quarry's designated escape route under the Quarries Regulations 1999. The bund would be a temporary safety feature (also serving a dual screening purpose) and would be removed during the final reinstatement of the site, in accordance with an attached condition controlling restoration arrangements.
- 1.5 Environmental assessments have identified no significant impacts on air quality, water, ground conditions, or biodiversity, subject to mitigation. Significant effects were identified in relation to landscape character and cultural heritage, particularly the broch setting, and visual impacts from Star Cottage, should it be reoccupied. Mitigation includes hedge planting, restricted working hours, and a site-wide Environmental Management Plan.
- 1.6 The proposal is consistent with National Planning Framework 4 (NPF4) and the Highland-wide Local Development Plan (HwLDP) as it promotes sustainable mineral extraction and safeguards existing employment. The proposed extension would maintain continuity of supply of a natural resource of regional importance, without increasing the environmental impact beyond that of the current quarry's operations.

- 1.7 Pre-Application Consultation: 18/05414/PREAPP; “the principle of mineral development in this location is well established and generally supported”.
- 1.8 Supporting Information:
Environmental Impact Assessment;
Pre-Application Community Consultation Report;
Supporting Information;
Surface Water Management Plan;
Transport Statement;
Planning Statement;
Blasting Method Statement;
Cover Letter;
Technical Note;
Private Water Supply Risk Assessment;
Provisional Environmental Management Report;
Biodiversity Net Gain Design Stage Report; and
Habitat Management Plan.
- 1.9 Variations: none.

2. SITE DESCRIPTION

- 2.1 The application site lies immediately east of the village of Spittal and the A9 trunk road, within a gently undulating lowland plain landscape in Caithness. The site comprises approximately 34.6 hectares, forming a proposed extension to the existing Spittal Quarry, which is nearing the end of its operational life. The surrounding land is predominantly agricultural, with areas of moss, woodland, and lochs such as Toftingall and Watten. To the south, the landscape transitions into moorland and coniferous forestry plantations.
- 2.2 The wider area includes a moderate industrial presence, notably energy infrastructure and mineral extraction. Spittal Substation lies approximately 1.7km to the northwest, with several wind farms in the vicinity including Achlachan, Causeymire, Halsary, and Bad a Cheo. Other nearby quarries include Achanarras Quarry to the west, Banniskirk Quarry to the north, and Spittal Mains Quarry immediately adjacent to the proposed extension area.
- 2.3 The site is currently a mix of enclosed grazing land and arable farmland, with the existing quarry to the west. The proposed extension will be worked in four phases, with progressive restoration using topsoil stripped from each phase. The quarry void will be excavated to a depth of up to 25 metres, with blasting limited to once per year. No new buildings or haul roads are proposed, and existing infrastructure will be retained. Overburden material would be processed by a mobile crusher and screening plant, located in the existing quarry void – this would operate for 8-

12 weeks per year, during normal working hours.

- 2.4 The site is not located within or adjacent to any statutory nature conservation designations. However, Ancient Woodland and Long Established Woodland lie nearby, and the site has potential to support protected species including badger, bat, pine marten, red squirrel, and peregrine falcon. Habitats within the site are of low ecological value, and mitigation measures are proposed to safeguard biodiversity.
- 2.5 The site falls within the Farmed Lowland Plain Landscape Character Type (LCT 143), described as a generally open, low-lying landscape with shallow valleys, lochs, and mosses. The proposed development is considered to result in localised landscape and visual effects, with significant impacts limited to the quarry site itself and nearby receptors such as Star Cottage, should it be brought back into residential use – the submitted EIA Non-Technical Summary asserts that Star Cottage is thought to be abandoned/disused, although the Planning Authority notes that it is advertised for commercial holiday letting purposes.
- 2.6 There are no designated heritage assets within the site boundary. However, the Scheduled Monument of Spittal Farm Broch lies within the southern part of the site and will be retained on a peninsula of land, with protective fencing and access provided. The setting of the broch will be affected, though sightlines to neighbouring brochs will be preserved. A programme of archaeological works is proposed to mitigate potential impacts on buried heritage assets.

3. PLANNING HISTORY

- | | | | |
|-----|----------------|--|-----------------------|
| 3.1 | 07/00528/FULCA | Erection of two sheds | APPLICATION PERMITTED |
| 3.2 | 00/00109/FULCA | Extension to existing quarry, continued winning and working of Caithness flagstone | APPLICATION PERMITTED |

4. PUBLIC PARTICIPATION

- 4.1 Advertised: Edinburgh Gazette, 'Environmental Statement' – 30 days
John O'Groat Journal, 'Unknown Neighbour – 14 days
'EIA Approved Application'

Date Advertised: 2 May 2025

Representation deadline: 1 June 2025

Timeous representations: none

Late representations: None

5. CONSULTATIONS

5.1 **Transport Planning Team:** holding objection withdrawn.

Planning application 24/02943/FUL seeks permission for a 34.6 ha extension to Spittal Quarry, located off the A9(T) near Spittal, Caithness. The quarry is operated for the extraction of Caithness flagstone. The extension is intended to maintain current output levels, not increase them.

The site is currently accessed via the A9 trunk road. Therefore, matters relating to geometry, visibility splays, drainage and road safety at the access junction fall under the remit of Transport Scotland, who have reviewed the application and raised no objections or conditions regarding the development's impact on the trunk road network.

However, concerns have been raised regarding the use of the B870 public road by subcontractors for transporting overburden (crushed rock), which has led to localised damage and safety issues.

An updated Technical Note (SCP, July 2025) estimates that overburden transport could generate up to 25 HGV movements per day during peak extraction phases.

The Transport Planning Team does not object in principle to the proposed extension, subject to the following critical access restriction:

All HGV traffic associated with the development must access and egress the site via the A9 Trunk Road only. Under no circumstances shall HGVs use the B870 public road in connection with the quarry extension. Use of the B870 by smaller vehicles (e.g. cars, vans, SUVs) may be permitted, provided it does not result in adverse impacts.

This restriction is essential to protect the integrity and safety of the local road network. Historic and ongoing use of the B870 by HGVs has resulted in unacceptable impacts. The applicant's commitment to preventing further use of the B870 as access point by installing a 2m high lockable gate across the track is noted and welcomed.

HGV access restriction to/from the B870 road requested by condition. This condition must be actively monitored. Any breach, particularly involving HGVs using the B870, will be considered a serious non-compliance. The applicant must be made aware that failure to adhere to this restriction will result in enforcement action, which may include formal planning enforcement procedures and/or revocation of permissions.

The Council reserves the right to carry out unannounced inspections and will act decisively in response to any breach.

5.2 **Environmental Health Officer:** no objection.

Planning permission already exists for the site and this is an extension to the boundary. The same conditions shall therefore apply as in the previous permission. However, the applicant shall review the processes in place and modify the practices if the boundary is now closer to sensitive receptors.

Further informal comments received:

Air Quality – the site wide plan on dust mitigation shall be extended to include the future phases. Current operational plan is satisfactory so no further comments.

Noise – The recent visit and comments were as a result of further consideration required for the property known as Star Cottage/Croft. The concern that the property could be occupied as permanent dwelling rather than its current use as a holiday let. With the information provided and following a further onsite visit, I am happy with the proposals, that include temporary equipment screening, landscaping and rock barrier. However, I would add that on construction of Phase 4, the ground is raised along the site curtilage to provide a barrier against sound to protect the amenity of the dwelling.

It is understood that a mobile crusher is used for approximately 12 weeks of the year. During operation it is located within the quarry and to date there has been no noise related complaints regarding its operation. Whilst there are no concerns from a Planning perspective the applicant shall be reminded that the Nuisance provisions of the Environmental Protection Act 1990 would apply.

Use of BPM and strict control of hours of operation in addition to raising ground near to border in conjunction with planting (as opposed to a fence barrier). Does not need to follow full roadside boundary - just in and around the sharp right turn as approach the property and in conjunction with temporary screening.

Landscape and visual – in my opinion I think it would benefit from a raised border/bund which could be implemented as part of the planting/hedging.

5.3 **Access Officer:** no comment regarding recreational access.

5.4 **Flood Risk Management Team:** objection withdrawn.

SEPA's online strategic flood mapping, Surface Water and Small Watercourse Future Flooding layer shows a large area of flood risk traversing the site and beyond, during a 200 year + climate change storm event. The flood risk area appears to follow the natural topography and lies at an angle to many of the drainage ditches. The site may be at medium to high flood risk from this source.

The quarry lies near a local highpoint and as such, the catchment that would deliver any pluvial (or drainage flow) to the site is small which suggests that the actual flood risk from this source may be low.

Given the rock extraction and processing nature of this development, the FRM Team is content that the vulnerability to any existing flood risk will remain low under the proposals.

Nothing in the proposals appears to suggest that the proposed development would increase the flood risk to others.

Given the above, the FRM Team removes its request for further flood risk information and has no objection on the grounds of flood risk.

The Applicant has provided the document, Surface Water Management Plan (SWMP) with (v2.0, dated 20/11/2023). The SWIMP provides outline details confirming the drainage strategy through the proposed future development phases.

The SWIMP states that the existing discharge location will be maintained.

There is little information on the existing or proposed discharge rates. However, as it appears that the quarry will create little or no new impervious area and as the scale of the operations is suggested to remain similar to now, the FRM Team

requires no new information.

The FRM Team requests no further drainage information and does not object to the drainage proposals.

5.5 Historic Environment Team – Archaeology: no objection.

This application area contains a scheduled monument, Spittal Farm Broch (SM582). I note that HES has responded in detail in regard to the impacts on the setting of this historic asset. HES has confirmed that the phasing of the proposed quarry works will ensure that the setting impacts are not such that an objection would be justified. I am satisfied that this will also apply to our opinion and that this can be supported in terms of aligning with Highland Council Planning Policy 57 (Natural, Built and Cultural Heritage) or the Highland Historic Environment Strategy (specifically Strategic Aim 13).

Written Scheme of Investigation requested by condition.

This condition requires that the development area is the subject of an evaluation in the first instance in order to establish the archaeological content and potential. Dependent on the results of this work, further study may be required in advance of, and during, construction works to record any identified remains. The evaluation will be backed up by desk-based research to produce a report setting out the results and any required mitigation strategy. The applicant will need to engage the services of a professional archaeological contractor.

5.6 Historic Environment Team – Conservation: no objection.

The proposed extension of the Spittal Quarry has the potential to impact the setting of Spittal Farm Broch (SM582), a scheduled monument, with the extent of the quarry being 180m E of the SAM. HES has confirmed that the phasing of the proposed quarry works will ensure that the setting impacts are not such that an objection would be justified. Therefore the Historic Environment Team (Conservation) are satisfied with this outcome and have no further comments.

5.7 Contaminated Land Team: based on our records and the information provided, I have No Comment on the proposed quarry extension, as an ongoing use with no former potentially contaminative land use recorded in the proposed extension area.

5.8 Ecology Officer: no comment.

5.9 Community Wealth Building Team: no comment.

5.10 Development Plans Team: no objection.

The proposal is in overall conformity with the approved development plan. Developer contributions may be required.

The site is in the countryside and not allocated for development. The nearest settlement is Halkirk (9.5 km). CaSPlan contains limited policy content relevant to quarrying but supports economic growth and balancing development with environmental protection.

NPF4 Policy 33 sets seven tests for assessing mineral extraction, including

environmental impacts, mitigation, restoration and aftercare. The applicant states no other viable Caithness flagstone reserves exist within their control. Waste management requirements (Policy 54) must be addressed; a Waste Management Plan has been submitted.

NPF4 requires development to conserve and enhance biodiversity, and EIA-development must leave biodiversity in a better state than without intervention.

The Biodiversity Net Gain Stage Report indicates:

- Net loss of 82.50 area habitat units (−27.74%)
- Net gain of 11.76 hedgerow units and 1.61 watercourse units (+10.19%)

Trading rules for area habitat units are not met. Unclear whether applicant has fully considered all recent Scottish biodiversity guidance.

Designations include:

- Scheduled Monument within site: Spittal Farm broch
- Nearby Scheduled Monuments: Fairy Hillock cairn; St Magnus' Church; Knockglass broch
- SSSIs: Spittal Quarry; Achanarras Quarry
- SAC: River Thurso

The EIA identifies natural and cultural heritage assets and concludes no significant direct or indirect effects on scheduled monuments or settings. HES comments must be taken into account.

A Transport Statement has been provided. As operations will not increase output, no increase in trip generation is expected. Transport Planning Team comments should be considered.

Development must avoid increasing flood risk and must use SuDS compliant with CIRIA guidance. A surface water management plan and relevant EIA section have been submitted. Views of SEPA and the Council's Flood Team should be considered.

Given nearby residential and commercial receptors, potential noise, dust and vibration impacts are relevant. The applicant has provided air quality, noise and vibration assessments. Environmental Health comments will be important.

Highland Council's Community Wealth Building Strategy 2024–27 now applies. The Planning Statement refers to this but it is unclear whether the applicant has a specific CWB approach. Case officer advised to clarify this.

Industrial development may require contributions for transport, green infrastructure, water and waste infrastructure or public art. Applicant has not addressed this. Case officer should confirm contribution requirements.

The site is outside any Local Place Plan area.

- 5.11 **NatureScot:** no objection. There are natural heritage interests of international importance on the site, but our advice is that these will not be adversely affected by the proposal.

Appropriate Assessment is required to be undertaken, given a likely significant effect on geese and swans of Caithness Lochs Special Protection Area.

We maintain our pre-application advice that the extension of the quarry into new areas would offer considerable research potential and the chance of finding new fossil material. Should the proposal receive planning permission, we would encourage the Applicant to set aside any fossil finds for research and to allow researchers reasonable access to the developing void. If rock core is available from, or likely to be obtained for, the proposed development site this may also be of research interest.

[Officer Note: an Appropriate Assessment has been carried out and is made available for inspection within Appendix 1 of this report.]

5.12 **Transport Scotland:** no objection. The Director does not propose to advise against the granting of permission.

5.13 **Historic Environment Scotland:** no objection.

The proposed quarry extension would undoubtedly result in an adverse impact on the setting of the broch in terms of its immediate landscape context as it would significantly alter the natural topography to its north and west. At present the monument remains predominantly legible within its landscape, although the existing quarry has compromised the setting to the south of the monument. It remains possible to readily associate the monument with the topography and lands that surrounded it and over which its occupants likely exerted some authority.

However, despite this change it would still be possible to understand the position of the broch in the wider landscape to a large extent because of the retention of the spit of ground connecting it to the surrounding land outwith the quarry, and because its altitude relative to ground beyond the quarry is unaffected.

Open views beyond the existing quarry would be largely retained, and key views to the south and south west would be unaffected. Direct sightlines to Knockglass, broch E of (SM561) to the south have recently been reinstated, and the application sets out that there would be no stockpiling of soils or overburden above existing ground levels so as to reduce the visibility of the scheme in key views associated with the setting of the broch.

We note that the application also sets out that existing flagstone fencing will be retained around the field boundaries that will form the proposed land spur, additional flagstone fencing will be added where there currently is none, and an access track will be formed along the spur of land so as to afford better access to the monument. Whilst these suggested compensatory measures cannot be used to offset significant adverse impacts on the setting of a monument, we nevertheless support this proposed action and would encourage the applicant to explore the provision of better public access to the monument in time in such a way that does not conflict with quarry operations. Scheduled monument consent (SMC) would be needed for any works within the scheduled area.

We are content that, although there are adverse impacts on the setting of Spittal Farm, broch 180m E of (SM582), these impacts are not of a severity such that we would object.

5.14 **SEPA:** objection withdrawn.

We thank the applicant for submitting a revised assessment of the risk to Private Water Supplies (PWS) from the Spittal Quarry Extension that has been undertaken in accordance with of the SEPA guidance, "Guidance on Assessing the Impacts of Development on Groundwater Abstractions". A qualitative assessment of the risk to three private water supplies was undertaken and it was determined that "no effect on any potential PWS that may be present at these properties and as such no further risk assessment is required".

5.15 **Scottish Water:** no objection.

Scottish Water records indicate that there is live infrastructure in the proximity of your development area that may impact on existing Scottish Water assets.

The applicant must identify any potential conflicts with Scottish Water assets and contact our Asset Impact Team via our Customer Portal for an appraisal of the proposals.

A review of our records indicates that there are no Scottish Water drinking water catchments or water abstraction sources, which are designated as Drinking Water Protected Areas under the Water Framework Directive, in the area that may be affected by the proposed activity.

5.16 **SSEN Transmission:** no objection.

SSEN Transmission have been aware of the site's development potential for some time since the submission of the applicant's Proposal of Application Notice (PAN) under reference 24/03693/PAN. This has led to constructive direct discussions with the applicant and their representatives before this formal planning application was lodged with the council, including allowing us to convey some of our potential concerns about the impact of the proposed development on our nearby infrastructure but this equally presented the applicant with the opportunity to provide us greater insight into how they intend to extract rock from the site area.

SSEN Transmission has no objection to the proposed development, but we do wish to ensure that future works are carried out in a way that is mindful of its potential wider impacts on our nationally significant infrastructure lying outwith the site area. The cable lies approximately 10m to the north of the northern boundary and approximately 20m to the east of the site's eastern boundary.

In general, we're content with the statements within the submitted Blasting Method Statement. It acknowledges our underground transmission cable as being a 'sensitive receptor' and outlines some measures they intend to take to minimise disturbance to the cable such as Peak Particle Velocity (PPV) blast vibration limit of 8mm/s and blasting stand-off of 80m from our cable, which would equate to approximately 60m from the eastern boundary and 70m in from the northern boundary. Subsequently, we would expect any rock extraction within the site area falling within 80m of our underground cable to be extracted by mechanical means unless otherwise with us via the Council (as Planning Authority). We recognise that there is a possibility the quarry could blast within 80m if vibration monitoring data leads-us to conclude this could be undertaken within significant risk to the continued safe operation of our underground HVDC transmission cable.

Subsequently, should approval of this application be granted, as suggested in the submitted BMS, we are recommending two conditions be applied to the consent. One to control the initial blasting limit in proximity to the cable and another to require vibration monitoring at certain points along the transmission line to enable us to gather data over the phased lifetime of the quarry to determine if we could agree to the operator blasting within the initial 80m limit. Taking this two-pronged approach should allow the extended quarry to minimise risk to the performance and condition of the existing underground cable to maintain a resilient supply of electricity to the national grid. We're content for vibration monitoring points to be agreed with the applicant prior to any blasting taking place to ensure this does not unduly delay the determination of the application.

To conclude, SSEN Transmission do not object to the proposed quarry extension subject to the recommended conditions if approval is granted to ensure control and monitoring measures are put in place to minimise the quarry's operations potential impact on our nationally significant HVDV underground transmission cable.

5.17 SSEN Distribution: no objection.

Please see SSEN-Distribution documentation attached showing 11kV high voltage overhead powerline to the eastern boundary of the proposed quarry extension.

Please see PR-NET-OSM-100 Guidance for Safe Working in Proximity to SSEN-D Overhead Lines.

We would suggest keeping at least 9m from the overhead line to avoid any damage to our poles.

HSE Guidance Note GS6 requires that where work is to be undertaken within 9 metres of overhead lines supported on wood, concrete or steel poles and within 15 metres of overhead lines supported on steel pylons, then precautions have to be implemented to avoid danger.

Horizontal distances referred to in this document are measured at ground level from a point directly below the nearest Conductor and at right angles to the line.

Ground level barriers are required at the following minimum horizontal distances from the line:-

- a) 6 metres – up to and including 33kV.
- b) 9 metres – greater than 33kV up to and including 132kV.
- c) 14 metres greater than 132kV.

5.18 Ward 3 Members: No response

5.19 Halkirk and District Community Council: No response

5.20 MP - Caithness, Sutherland and Easter Ross: No response

5.21 MSPs - Regional Highland 1 and 2; Caithness, Sutherland and Easter Ross: No response

5.22 **Scottish Ministers (Scottish Government):** Notified

6. DEVELOPMENT PLAN POLICY

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

6.1 Highland Wide Local Development Plan 2012

28 - Sustainable Design
29 - Design Quality & Place-making
30 - Physical Constraints
31 - Developer Contributions
36 - Development in the Wider Countryside
53 - Minerals
55 - Peat and Soils
56 - Travel
57 - Natural, Built & Cultural Heritage
61 - Landscape
64 - Flood Risk
66 - Surface Water Drainage
67 - Renewable Energy Developments
69 - Electricity Transmission Infrastructure
72 - Pollution

6.2 Caithness and Sutherland Local Development Plan (CasPlan) 2018

No site-specific policies apply.

6.3 Highland Council Supplementary Planning Policy Guidance

Developer Contributions (March 2018)
Flood Risk and Drainage Impact Assessment (Jan 2013)
Green Networks (Jan 2013)
Highland Historic Environment Strategy (Jan 2013)
Highland's Statutorily Protected Species (Mar 2013)
Physical Constraints (Mar 2013)
Sustainable Design Guide (Jan 2013)

7. OTHER MATERIAL CONSIDERATIONS

7.1 None.

8. PLANNING APPRAISAL

Determining Issues

8.1 Sections 25(1) and 37(2) of the Town and Country Planning (Scotland) Act 1997 (as amended), collectively require that this application be determined in accordance with the development plan unless material considerations indicate otherwise. Section 24(1) requires that all planning applications must now be determined in accordance with the provisions of NPF4 and those of any the relevant, extant Local Development Plan unless material considerations provide justification otherwise. Section 24(3) states that in the event of any incompatibility

between a provision of the National Planning Framework and a provision of a local development plan, whichever of them is the later in date is to prevail.

Planning Considerations

- 8.2 The key considerations in this case are:
- a) compliance with the development plan and other planning policy
 - b) Landscape and Visual Impact
 - c) Residential Amenity
 - d) Natural Heritage and Ecology
 - e) Cultural and Built Heritage
 - f) Water Environment
 - g) Biodiversity Enhancement and Site Reinstatement
 - h) any other material considerations
 - i) Financial Implications

Development plan/other planning policy

- 8.3 The Development Plan comprises Scotland's Fourth National Planning Framework (NPF4), the Highland-wide Local Development Plan (HwLDP) and associated statutory supplementary guidance, and Caithness and Sutherland LDP (CaSPlan). There are no site-specific policies affecting this application site.
- 8.4 The principal policy against which this application is assessed is Policy 33 – Minerals of NPF4, which supports the responsible extraction of minerals where proposals contribute to the economy and do not result in significant adverse impacts on communities, the natural and historic environment, or landscape character. The policy also requires that proposals demonstrate a high standard of restoration and after-use, including opportunities for biodiversity enhancement and climate resilience.
- 8.5 Also of relevance is HwLDP Policy 53 – Minerals, which supports the sustainable extraction of mineral resources where adverse impacts on communities, the environment, and infrastructure can be avoided or appropriately mitigated. The policy also requires proposals to demonstrate high standards of restoration and after-use, with a preference for environmental enhancement.
- 8.6 The proposed extension to Spittal Quarry is considered to be consistent with both HwLDP Policy 53 and NPF4 Policy 33. The site is located adjacent to the existing quarry and will utilise existing infrastructure, including access from the A9 and on-site processing facilities. The extension will not increase production levels, traffic movements, or introduce new plant, and will maintain current operational practices.
- 8.7 The submitted EIAR has assessed all of the main environmental implications of the proposed development which reports that, with the incorporation of mitigation measures, the proposal would not result in any new significant environmental

effects.

- 8.8 The Planning Authority expects all mineral developments to avoid or satisfactorily mitigate any impacts on residential amenity, the natural, built and cultural heritage, and infrastructure capacities. In addition, applicants are required to provide information on pollution prevention, restoration and mitigation proposals. After uses should result in environmental improvement rather than just restoring a site to its original state, including the provision of opportunities to add to the cultural, recreational or environmental assets of an area. A financial guarantee would be required to secure matters relating to restoration. If the Planning Authority is satisfied on these matters the application would accord with the Development Plan.

Landscape and Visual Impact

- 8.9 An assessment of landscape and visual impacts has been undertaken as part of the Environmental Impact Assessment (EIA) submitted with the application. The site lies within a gently undulating lowland plain landscape, with the existing quarry forming part of the baseline environment. The surrounding area comprises open agricultural land, moorland, and forestry, with limited settlement and infrastructure. The site is not located within or adjacent to any nationally or locally designated landscapes.
- 8.10 Zone of Theoretical Visibility (ZTV) modelling and photomontages from six agreed viewpoints were used to inform the assessment. The ZTV indicates that visibility of the proposed extension would generally be limited to the immediate surroundings, with more distant views screened by landform, vegetation, and existing quarry infrastructure. Beyond approximately 1 km, visibility would be significantly reduced, particularly to the south due to intervening forestry. The most notable visibility would occur from a short stretch of the B870 and from Spittal Hill to the north, where elevated views are possible.
- 8.11 The proposed extension would be worked in four distinct phases, with only one phase active at any given time. Each phase would be progressively restored using site-won soils before the next phase begins. This approach would significantly reduce the extent and duration of exposed quarry voids and working areas, thereby limiting visual intrusion and landscape change. Restoration of each phase would include the use of topsoil stripped from the subsequent phase, ensuring continuity of restoration and minimising the need for long-term stockpiling.
- 8.12 Overburden material would be temporarily stored within the quarry void and processed using existing infrastructure. No stockpiles would be introduced above existing ground levels. A new access ramp would be constructed in Phase 2 to facilitate the return of topsoil to the quarry floor for restoration. A balancing pond and settlement pond would be located within the retained peninsula of land adjacent to Phases 1 and 3, which would also accommodate the protected scheduled monument (Spittal Farm Broch).
- 8.13 The EIA concludes that the only significant landscape effect would be the permanent loss of grazing land within the site itself. Effects on the wider

landscape character would not be significant, due to the low visibility and the continuation of an established land use. The quarry extension would not introduce new buildings or plant above ground level, and all operations would be contained within the quarry void. The EIA's assessment of landscape and visual impacts is considered to be acceptable.

- 8.14 The proposed quarry extension would not be prominent in the wider landscape. The quarry void would be excavated below existing ground levels, and the low, gradually sloping topography of the site means that exposed rock faces would not be visually dominant. The extension would be viewed in the context of the existing quarry, forestry, and surrounding landform, and would not compete with Spittal Hill as a landscape feature.
- 8.15 A Residential Visual Amenity Assessment has been scoped out of the submitted EIA as the proposed scheme would be unlikely to give rise to effects meeting the threshold described within The Landscape Institute's Technical Guidance Note 02/19 'Residential Visual Amenity Assessment (RVAA)'. Visual receptors considered consist of public spaces and small groups of private dwellings. In terms of visual amenity, the most affected visual receptors would be limited to a small number of properties in the vicinity of Toftingall and Lower Toftingall. Of these, 'Star Cottage' is identified as potentially experiencing a significant effect due to its orientation and proximity to the site. 'Star Cottage' is a traditional single-storey farm cottage situated in open countryside. The cottage sits within an expansive rural landscape characterised by wide farmland vistas and a scattering of single-track access roads typical of the area. Access to the property is taken from the south via a private farm track leading from the B870 single-track road. This runs parallel with the proposed areas of working for this extension. It comprises a broad 'L'-shaped footprint, with an entrance porch occupying the centre of its southern elevation, considered to be its principal elevation which looks over open agricultural fields. The property's rear entrance door is located to the north, beside a generous parking area. Its western elevation looks out towards Spittal Quarry. Two of its western windows face the application site, a kitchen and frosted bathroom window, – Phase 4 quarrying activity would take place approx. 175 metres from these windows, which would be screened by a hedgerow and substantial rock bund. Given this is a residential property it has been regarded as a 'sensitive receptor' in the submitted assessments. Sheds sited adjacent to 'Star Cottage' are in active agricultural use. Mitigation measures, including planting along the quarry edge, are proposed to reduce visual impacts on nearby receptors and road users. In view of the separation and with mitigation in place, residual effects on visual receptors are assessed as ranging from negligible to moderate, and therefore not significant.
- 8.16 In terms of the submitted LVIA's methodology, a five-kilometre study area was adopted as sufficient to capture potential effects, and selected viewpoints were agreed with The Highland Council. Sensitivity was determined by considering the value and susceptibility of landscape and visual receptors, while magnitude reflected the scale, extent and duration of change. Significance was then derived by combining sensitivity and magnitude, using professional judgement and a matrix approach, with effects classified as major, moderate, minor or negligible. Major or major/moderate effects were treated as significant under the EIA

Regulations. The assessment concluded that significant effects would be limited to the landscape fabric of the site itself (due to permanent loss of grazing land and creation of a quarry void) and potentially on views from Star Cottage, should it return to residential use. Wider landscape character effects and most visual effects, including those from Spittal village, the A9 trunk road and the B870 road, were assessed as not significant due to low visibility and screening by landform and vegetation. The Planning Authority accepts that the methodology follows standard best practice and is proportionate to the scale and context of the proposed development. Conclusions drawn regarding significance appear to be reasonable given the low-lying topography, existing quarrying influence and proposed mitigation measures, including a phased restoration and soft screen planting along the western edge of the void.

- 8.17 The submitted LVIA considered six agreed viewpoints to assess potential visual effects. Viewpoint 1 (B870 road near Lower Tuftingall, 0.25 km south) and Viewpoint 2 (B870 road near Toftingall, 0.5 km east) would experience the greatest change, with large-scale landscape effects and medium visual effects due to proximity and open views of the quarry void. Viewpoint 4 (Spittal Hill, 0.88 km northwest) would experience medium landscape effects and small visual effects, reflecting partial visibility from elevated ground. In contrast, Viewpoints 3 (A9 trunk road north of Spittal, 0.65 km west), 5 (Spittal, 0.8 km southwest) and 6 (A9 trunk road north of Mybster, 1.3 km southwest) were assessed as having no discernible landscape or visual effects due to screening by landform, vegetation and existing quarry features. Overall, significant visual effects would be confined to the immediate vicinity of the B870 road and potentially Star Cottage (disused), while effects on wider visual receptors are not deemed to be significant given the low-lying topography and intervening screening.
- 8.18 Overall, the proposed quarry extension is considered to be well screened and appropriately designed to minimise landscape and visual impacts, which are considered to be very localised and not significant. The phased working and restoration strategy, combined with the use of existing infrastructure and access, would ensure that the development assimilates into the surrounding landscape over time. The proposal would not result in a significant adverse impact on the local landscape or visual amenity.

Residential Amenity (Noise, Blasting and Dust)

- 8.19 The applicant has assessed the operational impacts of the proposed quarry extension with particular regard to noise, blasting and dust. Key impacts are likely to arise from mineral working and associated vehicle movements, including dispatching. It is noted that the extension will bring quarrying activity closer to certain receptors, particularly Star Cottage (approximately 160 m east) and Lower Toftingall (approximately 300 m south), with other properties such as Toftingall Farm, Auld B&B and Morven View located between 500 m and 650 m away. Despite this proximity, the submitted EIA concludes that, with embedded and additional mitigation, effects on these receptors will remain within acceptable limits. Noise modelling predicts compliance with recommended thresholds, and intermittent blasting can be designed to meet vibration criteria in relevant guidance. Dust impacts are assessed as slight to moderate and not significant, given continued application of the existing Environmental Management Plan,

which includes measures such as water suppression, wheel washing and speed controls. There are no known previous complaints from ongoing quarry operations, and no public objections have been received. The existing quarry operates under enforceable noise limits and dust controls, which would continue to apply and can be secured by planning condition. Secondary mitigation, including planting along the western, northern and eastern edges of the void, would further reduce visual and amenity impacts. On this basis, while the proposed development would indeed extend closer to some receptors, the assessment demonstrates that significant adverse effects on residential amenity are unlikely. This assessment is considered to be acceptable; further clarification has been sought regarding the exact potential impacts on Star Cottage, however the Planning Authority is satisfied that these could be appropriately mitigated. Conditions are attached to address this.

Natural Heritage and Ecology

- 8.20 The application site includes part of the designated Spittal Quarry Site of Special Scientific Interest (SSSI), which is recognised for its geological value, specifically a well-preserved fossil fish bed of mid-Devonian age. This fossil bed lies within the existing quarry void and is not expected to extend into the proposed extension area. The EIA confirms that the fossil-bearing strata are visibly confined to the current quarry and would be preserved in situ as part of the approved restoration plan for the existing quarry. The proposed extension would not affect the integrity of the SSSI, and reinstatement activities would avoid disturbance to the fossil bed.
- 8.21 The site is not located within or adjacent to any other natural heritage designations, and no designated ecological sites in the surrounding area are considered to have direct connectivity or to be affected by the proposed development.
- 8.22 Ecological surveys undertaken as part of the Environmental Impact Assessment (EIA) identified the presence of protected species in the vicinity of the site, including badgers and bats. While no active badger setts were recorded within the site boundary, the potential for future activity would be addressed through pre-excavation survey and seasonal monitoring. A pre-excavation survey would be undertaken prior to vegetation clearance to confirm the presence or absence of badgers, and any mitigation required would be implemented accordingly.
- 8.23 The cluster of disused farm buildings in the applicant's control located along the south-western edge of the wider site, was found to support roosting bats, specifically common pipistrelle, and is also considered likely to support nesting barn owls. Given their close proximity to the western boundary of the proposed extraction areas – particularly Phase 2, which lies immediately to the east of these buildings – the proposed extension has been designed to avoid disturbance during sensitive ecological periods.

To ensure protection of both bats and barn owls, blasting activities will be scheduled outside the key bat roosting and bird nesting seasons. For Phase 2, which is the closest operational area to the buildings, blasting will be restricted to September and October, thereby avoiding the summer roosting period and the winter hibernation period for bats.

At this stage it is not proposed to remove any of the farm buildings. However, should removal of any of these disused structures become necessary in the future, further bat surveys will be undertaken to determine whether roosting bats are present at that time. In the event that the farmhouse – which is already confirmed to host a bat roost – is proposed for removal in the future, a licence from NatureScot would be sought prior to any works.

- 8.24 The margins of the site and surrounding landscape offer suitable foraging habitat for a range of species. The proposed extension would retain boundary vegetation and avoid night-time lighting near sensitive habitats. Toolbox talks and site inductions would be used to raise awareness among site personnel of protected species and ecological sensitivities.
- 8.25 A suite of mitigation measures is proposed to safeguard ecological interests, including the preparation of a Barn Owl Species Protection Plan and the installation of bat and owl boxes in suitable locations. Restoration of each phase would be designed to enhance biodiversity, with opportunities to support cliff-nesting birds, waders, and other species that currently use the existing quarry void and water bodies.
- 8.26 The appointment of an Ecological Clerk of Works (ECoW) to oversee the implementation of ecological mitigation and restoration commitments would be secured by condition. With these measures in place, the EIA concludes that the proposed development would not result in significant adverse effects on protected species or habitats and would deliver biodiversity net gain over the lifetime of the quarry extension.

Cultural and Built Heritage

- 8.27 The application site contains one nationally important heritage asset: Spittal Farm Broch, a Scheduled Ancient Monument located within the southern part of the proposed quarry extension. The broch is a turf-covered, level-topped mound of Iron Age origin. The proposed development has been designed to avoid direct impact on the broch, with a peninsula of land retained around it and excluded from excavation. Flagstone fencing would be erected to protect the monument from accidental damage, and a new access track would be provided to maintain accessibility.
- 8.28 The sightline between Spittal Farm Broch and the neighbouring Knockglass Broch to the south would be preserved, recognising the importance of intervisibility between brochs as part of their original function. While the setting of Spittal Farm Broch would be altered due to surrounding excavation, the EIA concludes that this would result in a medium adverse impact on its cultural setting, which is considered to be significant. This is because the proposed quarry would create a deep void around the broch, permanently changing its immediate topography and reducing its legibility within the local landscape. However, Historic Environment Scotland (HES) has confirmed that, despite these adverse effects, the broch would remain largely understandable in its wider context. The retention of a land spur connecting the broch to surrounding ground, the maintenance of its altitude relative to the wider landscape, and the preservation of open views to the south and southwest (including the reinstated sightline to Knockglass Broch) are key

factors in mitigating the impact. HES notes that these measures, combined with the absence of stockpiling above ground-level and the proposed introduction of flagstone fencing and access improvements, ensure that Spittal Farm Broch's cultural significance is not wholly compromised. While the impact would be significant, HES has not objected to the proposal, considering that the adverse effect would not be of a severity that would warrant refusal, provided mitigation and Scheduled Monument Consent requirements are observed.

- 8.29 The EIA also identifies the potential for previously unknown archaeological remains to be present within the site, including features associated with nearby cist burial sites and the historic battle site of Skida Mire. These remains could be of national importance. To address this, a Programme of Archaeological Works would be undertaken prior to and during excavation, with further mitigation detailed in a Written Scheme of Investigation at the request of The Highland Council's Historic Environment Team (Archaeology). This would include trial trenching and recording, as appropriate.
- 8.30 No other designated heritage assets would be directly affected by the proposed development. No listed buildings are located within a five-kilometre radius of the application site. The EIA concludes that impacts on the setting of listed buildings and other non-designated heritage features would be negligible and not significant.
- 8.31 While the proposed development is anticipated to have significant effects on cultural heritage assets (namely a Scheduled Ancient Monument), these effects are not considered to be unacceptable. With the proposed mitigation in place, including the protection of the broch, archaeological monitoring, and preservation of key sightlines, the identified impacts would be appropriately managed. These measures would be secured by condition.

Water Environment

- 8.32 The application site lies within a low-lying area of Caithness, with surface water features including field ditches and nearby burns. The proposed extension would be located within the wider catchment of the Burn of Acharole, which lies approximately 1km from the site. The site itself is not located within a designated flood risk zone, although SEPA mapping identifies areas of surface water flood risk within and adjacent to the site. The Environmental Impact Assessment (EIA) confirms that the proposed development would not increase flood risk either on-site or downstream.
- 8.33 The quarry void would provide sufficient capacity to accommodate surface water runoff, including allowance for climate change. The nature of the excavation means that excess surface water would be contained within the void. Clean water would be pumped out of the quarry void into a balancing pond located on the retained peninsula adjacent to Phase 1 and Phase 3 boundaries. From there, water would either be reused or discharged to the adjacent ditch under the terms of an existing SEPA discharge licence. Water quality would continue to be monitored in accordance with licence conditions.
- 8.34 Mineral extraction would continue to be undertaken above the water table, with

the quarry floor remaining at approximately 25 m AOD. The existing quarry experiences minor groundwater seepage, but the void is generally dry, with collected surface water used for dust suppression and stone processing. The proposed extension would not require dewatering, and no significant impacts on groundwater levels are anticipated.

- 8.35 Process water for stone cutting and crushing would be sourced from existing ponds within the quarry and from a pond located within Spittal Mains Quarry to the northwest. Waste process water would be discharged to settlement ponds, where sediment would be removed before water is reused or discharged. A new settlement pond would be constructed located adjacent to the Phase 3 area of the proposed scheme to manage surface water runoff.
- 8.36 The principal risk to groundwater would be from pollution during operation. However, the quarry currently operates an Emergency Incident Response Plan (EIRP), and all operatives are trained in spill response. No fuel or chemical storage would be introduced within the extension area, with refuelling and servicing of plant continuing to take place within the existing quarry compound. Soil stripping would be undertaken in dry conditions, and temporary mounds would be formed with graded domes and seeded to prevent ponding and erosion.
- 8.37 A private water supply (PWS) serving properties to the north of the site crosses the proposed extension area. This supply originates from a spring located to the south of the site, within a separate catchment. The connecting pipework, which was previously relocated, would require diversion to avoid conflict with the formation of the overburden mound. The EIA confirms that the quarry operations lie downstream of the supply source and that no other private water supplies would be affected. Environmental Health has raised no objection. It is noted that desk studies have been hampered by some nearby properties failing to return any private water supply information, thereby reducing the amount of available data. However, as far as possible, it is deduced from the absence of any public objections that no adverse impacts on existing private water supplies or water quality would be exerted. Most nearby properties have mains water connections, and any remaining PWS is likely for non-potable use only. The absence of groundwater pathways and the presence of the existing quarry void furthermore mean that there is no realistic risk of contamination or supply disruption.
- 8.38 With the continuation of appropriate water management measures, including settlement ponds, discharge controls, and pollution prevention protocols, the EIA concludes that the proposed development would not result in significant adverse effects on the water environment. Neither SEPA nor The Highland Council's Flood Risk Management Team have raised concerns.

Biodiversity Enhancement and Site Reinstatement

- 8.39 The existing site comprises Other Neutral Grassland (moderate condition), Ditches (moderate condition), Active quarry/open-cast areas, and sealed surfaces. Offsite, Zones A and B comprise Other Neutral Grassland (moderate) and Modified Grassland (poor) respectively. No irreplaceable or very high-distinctiveness habitats are present.

8.40 In accordance with good practice, the applicant's ecological consultants have applied the Scottish mitigation hierarchy. Retention of baseline habitats is extremely limited due to the operational footprint required for mineral extraction. Consequently, biodiversity enhancement would rely on phased on-site restoration over 25–30 years, supplemented by immediate off-site habitat creation and enhancement, ensuring that ecological uplift would begin prior to completion of quarrying.

8.41 In the interest of clarity, two types of biodiversity enhancement measures are discussed below: mitigation (to be in place during quarrying operations) and reinstatement (to be established on cessation of operations within each phase). Following the cessation of each extraction phase, the applicant would reinstate the worked floor and benches using recovered subsoil, creating a deliberately nutrient-poor substrate to support the development of species-rich neutral grassland in 'Good' condition. This accords with the restoration strategy set out in the ES.

8.42 Key measures include:

- Creation of c. 32.6 ha of Other Neutral Grassland (Good condition) across the restored quarry, delivered in two phases with 25- and 30-year delivery horizons to reflect quarry lifespan and settlement time.
- Restoration of 1.16 km of Ditches (Moderate condition) to replace those lost during extraction.
- Creation of 1.82 km of Species-Rich Native Hedgerow along the internal boundaries of the restored quarry, contributing to ecological connectivity and structural diversity.
- Retention of a sediment/water treatment pond (0.36 ha), classified as an Ornamental Lake/Pond (Poor condition) but maintained as a permanent hydrological feature integral to site drainage.

The use of subsoil as the principal reinstatement material is intentional, as its low fertility supports a more diverse sward and limits competitive grasses. Typical species would include yellow rattle, red clover, sweet vernal-grass, fescues, and forbs consistent with the indicative seed mix in the HMP.

8.43 To address the time-lag inherent in mineral restoration, the applicant would undertake early BNG delivery within two off-site compensation areas adjacent to the quarry:

- Zone A (3.56 ha): Enhance Other Neutral Grassland from Moderate → Good condition.
- Zone B (2.62 ha): Enhance Modified Grassland from Poor → Good condition, converting it to Other Neutral Grassland.
- Creation of approximately 2.13 km of new Ditches (Moderate condition) to provide wetland edge habitat, aquatic vegetation, and improved ecological connectivity.

Enhancement techniques would include scarification, green-hay spreading, annual hay-cut-and-collect, invasive species control, and tailored seed mixes.

These measures would benefit a wide suite of recorded species, including skylark, lapwing, curlew, wheatear, pipistrelle species, otter, water vole, and great yellow bumblebee.

- 8.44 The applicant has confirmed that the measures set out in the restoration plan have been incorporated into the Biodiversity Net Gain metric, with a whole-site approach used to identify the potential to achieve a 10% gain. The BNG report explains that, due to the late stage at which BNG was requested, a precautionary approach was taken to the assessment of existing habitat condition. Ground cover was classified as being in 'moderate' condition, although this may be subject to change following further survey work. Current BNG trading rules generally require that existing habitat types are replaced on a like-for-like basis, which restricts opportunities to deliver higher-value alternative habitats on-site. Should permission be granted, the applicant intends to undertake a further survey in Spring 2026 to provide a more seasonally appropriate condition assessment. If this survey identifies that the baseline habitat condition is 'poor' rather than 'moderate', the submitted metric indicates that the proposed restoration strategy would achieve at least a 10% BNG gain within the application site. If the habitat condition is confirmed as 'moderate', the submitted assessment indicates that any shortfall in achieving 10% BNG on-site could be addressed through off-site provision on land controlled by the applicant. Non-statutory Planning guidance furthermore requires a minimum 10% biodiversity enhancement to be demonstrated by Major and EIA-scale proposals, however the same guidance does not directly address developments involving minerals.
- 8.45 The Ecology Officer has not been able to provide a formal comment, however informal discussions have indicated the possibility of addressing the above matters via Planning conditions. The applicant has made sought to provide biodiversity enhancement measures on an upfront basis, however this has simply not proved to be possible within an operational quarry context. While there is a general reluctance from consultees to secure biodiversity enhancement matters by condition, it has been considered to represent a pragmatic solution in this instance, better reflecting the proposed phased development with subsequent reinstatement taking place on a phase-by-phase basis. This pragmatic approach to satisfying NPF4 Policy 3's requirements is supported by reading the Framework as a whole, as it notes that tailored measures will be required to assist communities in adapting to climate change and transitioning to net zero; it also prioritises its support of local economic development by making sustainable use of the North Highland area's world-class environmental assets to innovate and lead greener growth.
- 8.46 Restoration would proceed immediately after each extraction phase, minimising long-term soil storage and reducing risks of degradation. The approach includes:
- Immediate relocation of subsoil/topsoil into completed phases, avoiding prolonged stockpiling.
 - Placement and grading of a 15–30 cm subsoil layer to establish low-nutrient grassland.
 - Reseeding with species-rich grass mixes or green hay from local donor sites.

- 5 m grassland buffer margins along restored drainage channels, seeded with species-rich mixes.
- Full reinstatement of areas around the Scheduled Broch, using species-rich grassland.

8.47 To soften visual impacts and maintain local character, mitigation measures would include:

- A 1m+ Caithness flagstone wall would be erected along the northern boundary near the Scheduled Broch, raising the visual horizon and screening excavated faces. This is supported, as it would enhance the quarry site's sense of place.
- A proposed rock bund along the site's entire eastern edge would serve a dual role: while contributing to screening, its primary purpose is to comply with the Quarries Regulations 1999 and associated HSE guidance, which require the provision of effective edge-protection barriers on haul roads and benches to prevent vehicle over-run. The applicant has confirmed that the bund design follows established best-practice examples, with material sourced from Spittal Quarry itself.
- Mixed-species hedging would be planted along the northern and western boundaries, contributing to ecological connectivity and integrating the restored site into the surrounding farmed landscape.
- In addition, a mixed-species hedgerow would also be delivered along the full eastern edge of the site, with initial planting to take place during Phase 1 and further sections established on a phased basis, thereafter, as referenced in the submitted EIA Report (Vol. 2, section 6.8). This hedging would be positioned between the post-and-wire site boundary fence and the edge of the escape-route track, providing a clear visual screen and reinforcing separation from 'Star Cottage', disused but recognised throughout the EIA process as a sensitive receptor.

8.48 In terms of delivering the required mitigation planting, Section 6.8.4 of the submitted EIA Report (Vol. 2) states that:

Details of the planting scheme can be secured by planning condition. Planting should be undertaken at the start of mobilisation, ahead of the operational phases, to give the plants a chance to establish. However, it is noted that planting is more likely to be successful once excavations are complete as there is a risk of damage from passing vehicles using the perimeter access track during the operational phase. Therefore, any hedges or trees planted during the operational phase that subsequently become damaged or fail to establish will be repaired/ replanted during the reinstatement phase.

This is considered to be a pragmatic and logical approach, which is accepted and has influenced the text of Condition 23 below, which requires further information to be submitted prior to the commencement of each phase. While it requires appropriate planting to be in place no later than the first season following a phase's commencement, in accordance with the above EIA information this may

of course take place at an earlier stage, at the developer's discretion.

Other material considerations

8.49 None.

Non-material considerations

8.50 None

Matters to be secured by Legal Agreement

8.51 There is currently a Section 75 in place for the existing quarry operations. In order to ensure that the restoration of this extension is completed and that the planning authority can pick up the cost 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 by a 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

Pay for the bond or other financial provision to be subject to a review five years after the last date of signing by the parties of the Section 75 agreement and every five years thereafter. Until such time as the quarry is decommissioned and the site is fully restored.

The applicant has four months from the date that the Council solicitor writes the applicant/applicant's solicitor indicating the terms of the legal agreement or other appropriate mechanism to secure mitigation for the impact of the development agreed by the planning service, to deliver to the Council a signed legal agreement. Should an agreement or other appropriate mechanisms 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 reasons.

The proposed application has failed to include a legal agreement required to secure 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 MP F4 and Policy 54 of the Highland Wide Local Development Plan.

9. CONCLUSION

9.1 In summary, the proposed quarry extension has been assessed against the relevant provisions of NPF4, other Local Development Plans and all other material considerations. The submitted Environmental Impact Assessment demonstrates that, subject to the mitigation measures secured through conditions, the

development would not give rise to any significant residual environmental effects. The proposal represents a continuation of an established mineral use, utilising existing infrastructure and adopting a phased working and restoration strategy that would enable appropriate site reinstatement and long-term biodiversity enhancement. The identified impacts on landscape, cultural heritage, and ecological receptors have been satisfactorily addressed through design, management controls and enforceable Planning conditions. Taking these matters into account, the proposal is considered to be acceptable in land-use, environmental and operational terms, and approval is therefore recommended.

9.2 The Council is satisfied that 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 4, 5, 8 and 17 of this permission.

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

Notification to Scottish Ministers No

Conclusion of Section 75 No
Obligation

Finalisation of Restoration Bond YES – please see Condition 25 below

Revocation of previous permission No

Subject to the above actions, it is recommended to **GRANT** the application subject to the following conditions and reasons:

1. In accordance with Section 58 of the Town and Country Planning (Scotland)

Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

Reason: In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended).

2. Planning permission is hereby granted for a temporary period only and shall cease to have effect on 31 March 2056 (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 in accordance with the approved Reinstatement Concept Plan, Dwg No: 1017 REV P02 (received 23 February 2026), with shrub planting and grassland to be created principally for biodiversity enhancement. In the event that working ceases for a period of more than 24 months prior to the expiry of this permission then the site shall be restored within 12 months from the cessation of working, or in any case before the expiry of this permission.

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

3. The extraction of hard rock and restoration of the site shall be undertaken in accordance with the submitted application, implementing the mitigation measures set out within the supporting Environmental Impact Assessment Report and as per the approved plans as amended by the specific conditions attached to this planning permission.

Reason: To clarify the terms of the permission, to ensure that the extent of mineral extraction and production levels of this quarry does not exceed levels considered in the Environmental Impact Assessment Report and to ensure the site is fully restored to an appropriate use.

4. Within 12 months of the grant of this planning permission, an updated Environmental Management Plan shall be submitted to and agreed in writing by the Planning Authority. The document shall include provision of a:
 - a. Schedule of Mitigation - derived from the mitigation measures set out within all sections of the Environmental Impact Assessment Report.
 - b. Pollution Prevention Plan - detailing a site map showing:
 - i. the location of pollution prevention measures such as spill kits, oil interceptors, vehicle washing areas;
 - ii. use of a road sweeper of the site access road as required;
 - iii. surface water monitoring and drainage arrangements, with incorporation of the mitigation measures set out in Section 7 of the Environmental Impact Assessment Report; and
 - iv. drainage associated with welfare facilities.
 - c. Dust Management Plan – Incorporating the dust mitigation measures

outlined in Site Dust Management Plan, Section 10.9 of the Environmental Impact Assessment Report.

- d. Species Protection Plans – Including a Badger, Bat and Barn Owl Protection Plans.
- e. Site Log Sheet - detailing how often the pollution prevention, drainage, dust and protected species management measures will be undertaken, checked and maintained which will be kept on site ready for inspection at any time.

The Environmental Management Plan shall be implemented as approved, with the quarry operator ensuring all on site staff are familiar with and adhere to its terms.

Reason: In order to enable the Planning Authority to adequately control the development and to minimise its impact on the nature conservation and amenities of the local area.

- 5. Prior to the commencement of Phase 2 and any subsequent phase of the development, an updated detailed progressive restoration, decommissioning, maintenance and aftercare scheme for the site which demonstrates biodiversity net gain shall be submitted to and agreed in writing by the Planning Authority. The scheme shall be prepared in line with the approved Reinstatement Concept Plan, Dwg No: 1017 REV P02 (received 23 February 2026), the Environmental Management Report, the Habitat Management Plan (RSK Biocensus, 2025), and the Biodiversity Net Gain Design Stage Report (RSK Biocensus, 2025) and ensure:
 - a) Restoration of disturbed ground and worked out areas takes as soon as practically possible on a phased basis with the provision of clear timescales.
 - b) The provision of a restoration schedule by phase quantifying: soil and overburden movements and storage heights; areas to be seeded; proprietary regrading works; drainage; fencing; aftercare; and final plant equipment and hardstanding removal.
 - c) Provision of an Access Management Plan detailing how public access rights will be reinstated post-restoration of the site.
 - d) The extent and height of the overburden store located to the north east of the extraction area being kept to a minimum, not exceeding 10 metres above the base of the quarry floor of each phase, with the store to be progressively restored to arable farmland with a reinstated average soil depth of not exceeding 1 metre and a gradient of no greater than 1 in 6.
 - e) The provision of a site plan with sections showing where soils will be stored including details of the heights, dimensions and volumes of each store, how long the material will be stored for and how soils will be kept fit for restoration purposes. Confirmation that soil handling and storage would follow the Institute of Quarrying's Good Practice Guide for Handling Soils in Mineral Workings (2021)

should be supplied.

f) Full details of habitat creation and enhancement consistent with the approved HMP, including:

On-site habitat creation:

- Creation of Other Neutral Grassland (Good condition) on restored quarry benches and floor using low-nutrient subsoil placement (15–30 cm) and species-rich seed mixes/green hay.
- Restoration of at least 1.16 km of Ditches (Moderate condition) to replace those lost during extraction.
- Creation of at least 1.82 km of Species-Rich Native Hedgerow (double-staggered rows, mixed native species, protective measures, and a long-term rotational cutting regime).
- Details of the sediment pond/waterbody to be retained and managed as a permanent ecological feature.

Off-site biodiversity enhancements (BNG Compensation Areas A and B):

- Enhancement of 3.56 ha of Other Neutral Grassland from Moderate to Good condition.
- Enhancement of 2.62 ha of Modified Grassland from Poor to Good condition, to become Other Neutral Grassland.
- Creation of at least 2.13 km of new Ditches (Moderate condition) within the compensation areas.

Planting and establishment specifications:

- Seed mixes, plug-plant lists, woodland/shrub specifications, hedgerow mixes, and protective fencing.
- Surface preparation and proprietary works required to establish vegetation capable of supporting biodiversity enhancement.

g) Aftercare and maintenance provisions for each phase, to endure a minimum of 5 years per restored phase, and including, where relevant:

- annual hay-cut-and-collect regime;
- 5-yearly scarification;
- invasive species monitoring and control;
- ditch vegetation rotation;
- hedgerow maintenance and infill planting;
- adaptive management measures triggered by ecological monitoring outcomes.

- h) A 30-year monitoring and reporting framework setting out:
- UKHab habitat condition assessments;
 - annual monitoring for the first 5 years, then 5-yearly intervals;
 - fixed-point photography;
 - ecological reporting to the Planning Authority;
 - remedial actions where habitat targets or BNG outcomes are not achieved.
- i) The scheme shall include a mechanism to respond to baseline verification surveys (Spring 2026). If baseline grassland or ditch habitats are confirmed as Moderate (rather than Poor), the Plan shall identify additional offsetting land (including land at Spittal Hill if required) to ensure no biodiversity net loss and compliance with NPF4 Policy 3.

Thereafter, the restoration, habitat creation, biodiversity enhancement, aftercare, and monitoring of the site shall be carried out strictly in accordance with the approved scheme for the lifetime of the development, unless otherwise agreed in writing by the Planning Authority.

Reason: To ensure an appropriate scheme is in place for the interim and final restoration of the site.

6. No works in connection with the development hereby approved shall commence unless an archaeological Written Scheme of Investigation (WSI) has been submitted to and approved in writing by the Planning Authority and a programme of archaeological works has been carried out in accordance with the approved WSI. The WSI shall include details of how the recording and recovery of archaeological resources found within the application site shall be undertaken, and how any updates, if required, to the written scheme of investigation will be provided throughout the implementation of the programme of archaeological works. The WSI shall also include measures to mitigate any direct effects upon previously unknown cultural heritage (e.g. archaeological) assets. Should the archaeological works reveal the need for post excavation analysis the development hereby approved shall not be occupied or brought into use unless a Post-Excavation Research Design (PERD) for the analysis, publication and dissemination of results and archive deposition has been submitted to and approved in writing by the Planning Authority. The PERD shall be carried out in complete accordance with the approved details.

Reason: In order to protect the archaeological and historic interest of the site.

7. No vegetation clearance or blasting activity 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 pre-vegetation clearance or blasting, undertaking walkover surveys for breeding birds and protected species to ensure these species are removed from any disturbance related effects of noise and vibration, and to inform any necessary updates to the Environmental Management Plan required by Condition 4.
- b) Impose a duty to monitor compliance with the ecological commitments provided in this planning permission, the Environmental Management Plan approved in accordance with Condition 4, inclusive of the Barn Owl Protection Plan, and any other required species protection plans (“the ECoW works”);
- c) Advise the site manager and all onsite staff on adequate protection for environmental and nature conservation interests within, and adjacent to, the application site.
- d) Direct the operations on site and the avoidance of sensitive features with the ECoW having the power to call a halt to quarry operations on site where environmental considerations warrant such action.
- e) Report on monitoring and findings to the Planning Authority as part of the site’s annual report.

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.

8. No blasting shall take place within 80m of the existing HVDC underground transmission cable unless otherwise agreed in writing with the Planning Authority in consultation with SSEN Transmission.

Reason: To ensure the quarry’s blasting operation mitigates adverse impacts on existing nationally significant infrastructure and the proposal takes an ‘infrastructure first’ approach, to ensure compliance with Policies 18 (Infrastructure First) and 33 (Minerals) in NPF4 and Policy 53 (Minerals) in the Highland-wide Local Development Plan 2012.

9. No blasting shall take place until vibration monitoring equipment has been installed and is operational at three locations to be agreed in writing with the Planning Authority in consultation with SSEN Transmission. Once agreed, the vibration monitoring shall be carried out throughout the lifetime of the development and reported quarterly to SSEN Transmission.

Reason: To ensure that blast vibration monitoring is in place to provide early detection of a fault on the nearby electrical transmission network as part of mitigating the development’s impact on nearby sensitive receptors to enable compliance with Policy 33 (Minerals) in NPF4 and Policy 53 (Minerals) in the Highland-wide Local Development Plan 2012.

10. Ground vibrations as a result of the blasting operations shall not exceed a peak particle velocity of 6mms-1 in 95% of all blasts within any 6-month period. No individual blast shall exceed a peak particle velocity of 12mms-1 as measured at noise sensitive properties identified by the submitted Environmental Impact Assessment (received on 05.07.2024). The measurement shall be the maximum of three mutually perpendicular directions taken at ground surface at any vibration sensitive building.

Reason: In order to safeguard the amenity of neighbouring properties and occupants, as well as the integrity of neighbouring infrastructure.

11. For blasting undertaken at reduced stand-off distances from the nearest residential sensitive receptors listed in the submitted Environmental Impact Assessment (received on 05.07.2024), the operator shall implement measures to reduce the maximum instantaneous charge weight to ensure compliance with the vibration limits set out in Condition 10.

Given that the disused farm buildings on the western boundary of the site support roosting common pipistrelle bats and are likely to support nesting barn owls, blasting in Phase 2, which lies closest to these buildings, shall be restricted to September and October only, avoiding both:

- the summer bat roosting period, and
- the winter bat hibernation period.

No blasting will take place within such proximity that would risk disturbance to these protected species.

Reason: To ensure compliance with vibration limits and to avoid disturbance to protected species inhabiting disused farm buildings on the site's western boundary.

12. Prior to the commencement of the development, the applicant shall submit, for the approval of the Planning Authority, a Blasting Method Statement prepared by a suitably qualified and competent person in accordance with PAN 50 Annex D: The Control of Blasting at Surface Mineral Workings. The Method Statement should include but is not limited to the following: -

- i. The best practicable measures to be taken to reduce the impact of air overpressure and vibration at sensitive properties;
- ii. The approximate number of blasts on a weekly or annual basis and the periods of the day when blasting will be carried out; and
- iii. The methods for providing the public with advance warning of blasting.

Reason: In order to ensure that blasting operations are carried out safely and responsibly, and that potential amenity impacts are properly assessed and minimised.

13. No blasting shall take place until details of a blasting notification procedure have been submitted to and approved in writing by the Planning Authority. This shall include measures of how the public in the locality will be given

adequate advanced warning of any blasting activity. Blasting operations shall not take place out with the hours of 0900 to 1700 hours Monday to Friday and not at all on Saturdays, Sundays or Public holidays in Scotland.

Reason: In order to safeguard the amenity of neighbouring properties, occupants and users of the local road / path network.

14. Blasting shall be carried out using the best practicable means available to minimise resultant air overpressure, in accordance with current British Standards and Mineral Guidelines. The operator shall ensure that all mitigation, control and monitoring measures identified within the Environmental Impact Assessment, including seasonal restrictions on blasting to avoid disturbance to roosting bats and nesting barn owls in the disused farm buildings located along the western boundary of the site, are fully implemented. Blasting shall not occur during the recognised bat summer roosting or bird nesting seasons, except where otherwise permitted in writing, in advance, by the Planning Authority.

Reason: In order to safeguard the amenity of neighbouring properties and occupants; to avoid disturbance to protected species.

15. The quarrying activities, inclusive of: extraction; storage; restoration; processing; and distribution of mineral and related products, shall only operate between the hours of:
- 0700 hours and 1700 hours Monday to Friday, as per the submitted Planning Statement;
 - 0700 hours and 1300 hours on Saturdays (occasional work to 1700 but noise management may be required); and
 - not at all on Sundays or Public holidays in Scotland other than essential repair and maintenance.

Any proposal to operate out with these hours for the purpose of maintenance or to supply products shall only be considered in exceptional circumstances and shall require the prior written approval of the Planning Authority.

Noise arising from the quarry during permitted operational hours shall not exceed 45dB LAeq 1hr.

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 70 dB LAeq 1hr. 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. All limits are to be applied at the curtilage of any noise sensitive property during permitted operating hours.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

16. The development shall be undertaken in accordance with the recommendations of the Dust Management Plan contained within Technical

Appendix 7.1 of the submitted Environmental Impact Assessment (received on 05.07.2024) in respect of mitigation measures, all to the satisfaction of the Planning Authority.

Reason: In order to safeguard the amenity of neighbouring properties and occupants.

17. Visibility splays of 3.0m x 160m in either direction shall be provided and maintained on each side of the access at its junction with the A9 trunk road. Any vegetation which impedes the above splay shall be cleared and thereafter maintained in perpetuity. Within the visibility splays nothing shall obscure visibility between a driver's eye height of 1.0m in both the northerly and southerly directions. Thereafter the access shall be maintained free from mud and debris through the duration of the extraction works and subsequent reinstatement of the application site.

Reason: In order to ensure that the visibility splays are maintained to standard in perpetuity in the interest of road safety.

18. The quarry operator shall submit an annual statement and 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, as well as areas anticipated to be worked and restored in the forthcoming year, illustrating:
- a. The areas 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.
 - c. Areas and quantification of soil and overburden storage.
 - d. The results of ECoW on site monitoring.
 - e. Demonstration of compliance with the conditions attached to this planning permission.

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

19. Notwithstanding the provisions of Classes 53, 54, 55, 56, 57 or 63 of the Town and 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 development site, in the interest of amenity.

20. No soils shall be exported from the site and no other hard rock material shall be imported to the site without the prior written approval of the Planning Authority.

Reason: In order to ensure the retention of site restoration material and to

ensure that no imports are undertaken in order to maintain production of plant or sustain the dispatch of materials.

21. No development shall commence until a Waste Management Plan (WMP) has been submitted to and approved in writing by the Planning Authority. The Plan shall include details of the measures to be taken for the prevention or minimisation, treatment, recovery and disposal of extractive waste arising from the development, with a view to minimising waste generation and its harmfulness. The development shall thereafter be carried out in accordance with the approved Waste Management Plan unless otherwise agreed in writing with the Planning Authority.

The WMP must be reviewed by the operator and updated as appropriate at least every 5 years from the date of consent, and no later than every fifth year following the date of the last review. Any amendments made to the WMP should be notified to the Planning Authority. A review of the WMP must be undertaken in the event of substantial changes to the area of deposition or waste and a copy of the revised plan sent to the Planning Authority.

Reason: To ensure that waste arising from the development is managed in a sustainable manner, in accordance with best practice and to the satisfaction of the Planning Authority.

22. From the date of this planning permission until completion of 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.

23. All construction and operational HGV traffic associated with the development hereby approved shall access and egress the site solely via the existing quarry access onto the A9 Trunk Road. No HGVs associated with the development shall use the B870 public road at any time.

Reason: To ensure safe and appropriate access to the site, to protect the amenity and safety of the local road network, and to prevent adverse impacts on the B870.

24. A detailed landscaping and planting scheme for each phase of the development shall be submitted to, and approved in writing by, the Planning Authority prior to the commencement of mobilisation for that phase.

Full details of a screening bund along the site's eastern edge shall also be provided, alongside details of its eventual removal as part of Phase 4 reinstatement operations.

All planting, seeding and turfing for a given phase shall be carried out during the first planting season following the start of mobilisation for that phase,

unless otherwise agreed in writing by the Planning Authority.

Where planting is undertaken during the operational phase, any hedges, trees or other planting that subsequently become damaged, are removed, or fail to establish as a result of operational activities shall be repaired or replanted during the next available planting season within the reinstatement phase for that part of the site.

For a period of five years following completion of reinstatement of the relevant phase, any trees, shrubs or other plants which die, are removed, or become seriously damaged or diseased shall be replaced in the next planting season with specimens of the same species and similar size, unless otherwise agreed in writing by the Planning Authority.

Reason: In the interests of visual amenity and biodiversity net gain.

25. No development or extraction shall commence until a restoration bond to address the following details has been secured:
1. Full details of a bond or other financial provision to cover restoration have been submitted to, and approved in writing, by the Planning Authority.
 2. Confirmation in writing by a suitably qualified independent professional that the amount of financial provision proposed under Part 1 above is sufficient to meet the full estimated costs of all landscaping and embedded mitigation, as well as associated professional costs, has been submitted to, and approved in writing by, the Planning Authority.
 3. Documentary evidence that the bond or other financial provision approved under parts 1 and 2 above is in place has been submitted to, and confirmation in writing that the bond or other financial provision is satisfactory has been issued by, the Planning Authority. Thereafter, the developer shall:
 4. Ensure that the bond or other financial provision is maintained throughout the duration of this permission.
 5. Pay for the bond or other financial provision, to be subject to review five years after the commencement of development and every five years thereafter until cessation of all minerals operations and the site restored. Each review shall be:
 6. Conducted by a suitably qualified independent professional.
 7. Published within three months of each five-year period ending, with a copy submitted upon its publication to the Planning Authority.
 8. Approved in writing by the Planning Authority without amendment or approved in writing by the Planning Authority following amendment to its reasonable satisfaction.

Where a review approved under Part 8 above recommends that the amount of the bond or other financial provision should be altered (be that an increase or decrease) or the framework governing the bond or other financial provision requires to be amended, the quarry operator shall do so within one month of receiving that written approval, or another timescale as

may be agreed, in writing, by the Planning Authority, and in accordance with the recommendations contained therein.

Reason: To ensure that there are sufficient funds available to the planning authority to secure performance of the decommissioning, restoration and aftercare conditions attached to this planning permission in the event of default by the site operator.

REASON FOR DECISION

All relevant matters have been taken into account when appraising this application. It is considered that the proposal does not accord with the principles and policies contained within the Development Plan and is unacceptable in terms of applicable material considerations.

REASONED CONCLUSION

The Council is in agreement with the findings of the Environmental Impact Assessment Report that the extension and 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 4, 5, 8 and 17 of this permission.

TIME LIMIT FOR THE IMPLEMENTATION OF THIS PLANNING PERMISSION

In accordance with Section 58 of the Town and Country Planning (Scotland) Act 1997 (as amended), the development to which this planning permission relates must commence within THREE YEARS of the date of this decision notice. If development has not commenced within this period, then this planning permission shall lapse.

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. The 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 & 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 & 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: Craig Simms
Background Papers: Documents referred to in report and in case file.

Relevant Plans:

Document Type	Document No.	Version No.	Date Received
LOCATION PLAN	1001	REV P01	05 Jul 2024
LOCATION PLAN	1002	REV P02	05 Jul 2024
PROPOSED SITE LAYOUT PLAN	1004	REV P03	23 Feb 2026
SITE SECTIONS PLAN	1005	REV P02	05 Jul 2024
PROPOSED SITE LAYOUT PLAN - PHASING PLAN	1006	REV P02	05 Jul 2024
PROPOSED SITE LAYOUT PLAN	1008	REV P02	23 Feb 2026
PROPOSED SITE PLAN - PHASE 2	1010	REV P02	23 Feb 2026
PROPOSED SITE LAYOUT PLAN - PHASE 3	1012	REV P02	23 Feb 2026
PROPOSED SITE PLAN - PHASE 4	1014	REV P02	23 Feb 2026
SITE LAYOUT PLAN - REINSTATEMENT CONCEPT	1017	REV P02	23 Feb 2026
PROPOSED SECTION PLAN - EDGE PROTECTION	1018	REV P02	23 Feb 2026
LANDSCAPING PLAN	1019	REV P02	23 Feb 2026

APPENDIX 1

Appropriate Assessment

Caithness Lochs Special Protection Area

Extension to Spittal Quarry for the extraction of flagstone

24/02943/FUL

CONSIDERATION OF PROPOSALS AFFECTING EUROPEAN SITES

The status of Caithness Lochs Special Protection Area (SPA) means that the requirements of the Conservation (Natural Habitats, & c.) Regulations 1994 as amended (the 'Habitats Regulations') or, for reserved matters the Conservation of Habitats and Species Regulations 2017 as amended apply.

This means that where the conclusion reached by the Council on a development proposal unconnected with the nature conservation management of Natura 2000 sites is that it is likely to have a significant effect on those sites, it must undertake an Appropriate Assessment of the implications for the conservation interests for which the areas have been designated. The need for Appropriate Assessment extends to plans or projects outwith the boundary of the site in order to determine their implications for the interests protected within the site.

This means that the Council, as competent authority, has a duty to:

- Determine whether the proposal is directly connected with or necessary to site management for conservation; and, if not,
- Determine whether the proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; and, if so, then
- Make an Appropriate Assessment of the implications (of the proposal) for the site in view of its conservation objectives.

The competent authority can only agree to the proposal after having ascertained that it will not have an adverse effect on the integrity of the site. If this is not the case and there are not alternative solutions, the proposal can only be allowed to proceed if there are imperative reasons of overriding public interest, which in this case can include those of a social or economic nature.

Screening in Likely Significant Effects

It is evident that the proposal is partly connected with or necessary to site management for conservation, hence further consideration is required.

The proposed development has the potential to have a likely significant effect on geese and swans of the SPA – the site is protected for its wintering Greenland white-fronted geese, greylag geese and whooper swans. The Council is therefore required to undertake an appropriate assessment of the implications of the proposal on the SPA site noted above.

APPROPRIATE ASSESSMENT

While the responsibility to carry out the Appropriate Assessment rests with the Council, advice contained within Circular 6/1995 is that the assessment can be based on the information submitted from other agencies. In this case, the Appropriate Assessment is informed by information supplied by NatureScot and the applicant.

Appraisal Summary

The proposal site is close to Caithness Lochs Special Protection Area (SPA), protected for its wintering populations of Greenland white-fronted goose, greylag goose and whooper swan.

NatureScot has advised that the proposal could affect natural heritage interests of international importance on the site. NatureScot further advised a likely significant effect on geese and swans of the SPA. As the proposed mitigation measures below are considered to be feasible and would be implemented, then it is concluded that the proposal will not adversely affect the integrity of the SPA site:

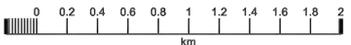
- Given the separation distance from the SPA, continued quarrying in this area is only likely to affect SPA birds when foraging away from the SPA roost sites during the winter and migratory periods.
- The extension area will be within an area of suitable foraging habitat (i.e. agricultural fields). However, based on available information, expansion of the quarry into these fields will not encroach into an important feeding area for any of the three SPA species.
- The proposal will result in infrequent blasting activities during the four phases of the works. However, this is unlikely to significantly increase the existing level of disturbance in this area due to quarrying activity already taking place at Spittal and expansion into this new area being a continuation of current quarrying works (rather than new or in-addition works).
- While foraging by SPA birds in this area cannot be completely ruled out, any disturbance is likely to be infrequent and short-term. There is also alternative suitable foraging habitat available in the wider area which the birds could move to during these short periods.
- In addition, it is considered that the proposal is unlikely to significantly contribute to in-combination effects with other developments affecting this SPA.
- It is also acknowledged that the Developer has proposed measures to further reduce impacts to feeding wintering geese and swans within their application.
- It is concluded that the proposal will not undermine the conservation objectives and therefore not adversely affect the integrity of the SPA.

HIGHLAND COUNCIL APPRAISAL OF THE PROPOSAL

- Parts of the proposal are connected with or necessary to site management for conservation;

- The proposal is likely to have a significant effect on the site either individually or in combination with other plans or projects; therefore;
- Consultation with NatureScot has provided information in relation to qualifying interests and the likelihood of significant effects on international designations and concludes that an adverse impact on the integrity of the SPA site would be unlikely if the proposed development is carried out strictly in accordance with mitigation measures set out by the Applicant;
- The mitigated proposal is therefore not likely to have an adverse effect on the site's integrity.

The Highland Council, 18 February 2026



OS 50k scale raster
 Thursday, October 13, 2022, ID: M4P-01066356
 www.nicolsondigital.com

1:50000 scale print at A4, Centre: 316939 E, 956529 N

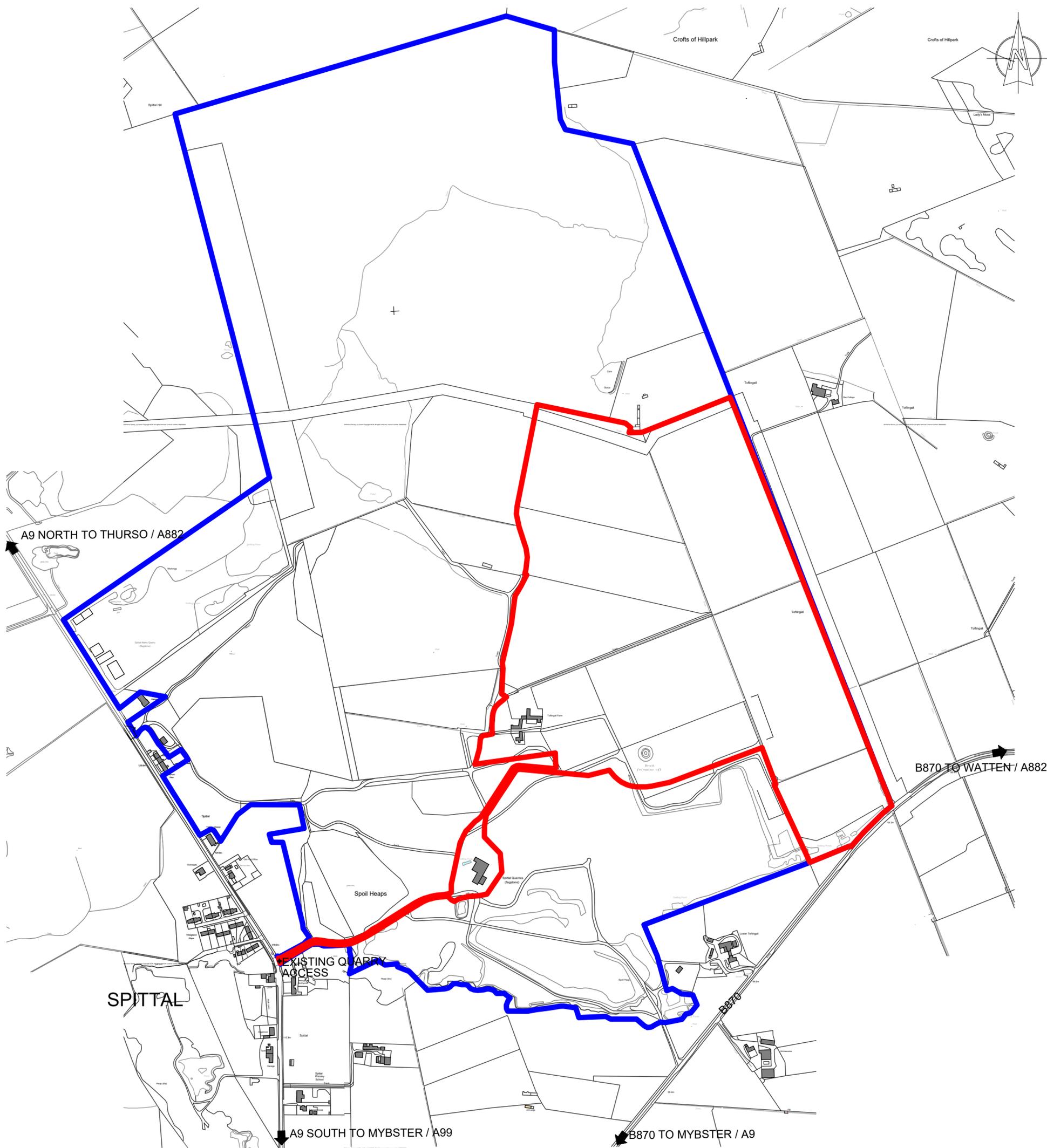
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Revision
 P01 Planning Issue

Date
 03.07.23

Client D & A Sutherland			
Project Spittal Quarry			
Title Rural Location Plan			
Branch Forfar		Telephone 01307 462516	
Drawn LL	Date Oct'22	Drg Size A4	Checked CN / IBC
Job No. S8591		Scale 1:50,000	
Drg No. 1001		Rev P01	



Revision P01 Planning Issue. 06.07.2023
 P02 Revised red line boundary. 29.08.2023



Legend

- Proposed extension area
- Extent of Applicant Ownership



Client D & A Sutherland			
Project Spittal Quarry			
Title Site Location Plan			
Branch Forfar	Telephone 01307 462516		
Drawn LL	Date Oct'22	Drg Size A2	Checked CN / IBC
Job No. S8591	Scale 1:5,000		
Drg No. 1002	Rev P02		

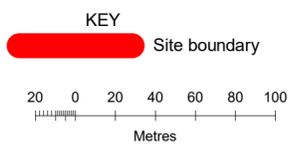


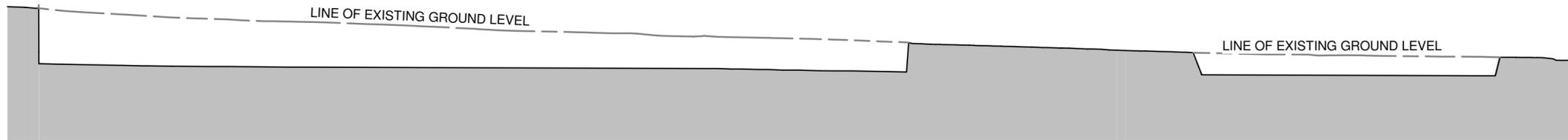
No.	Description	Date
P01	Planning Issue	06.07.23
P02	Revised Red Line Boundary	12.09.23
P03	Planning Comments	18.02.26



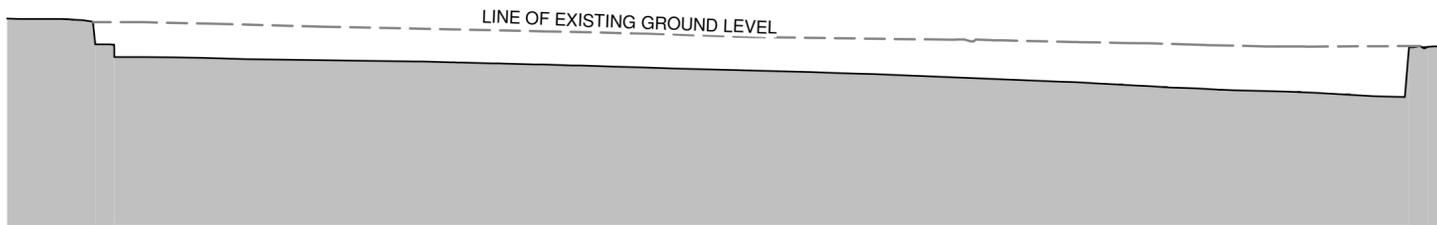
Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Site Plan			
Perth Office 01738 621121		Status	
Drawn Author	Date 07/03/23	Drg Size A2	Checked Checker
Job No. 58591		Scale (@ A2) As indicated	
Drg No. 1004		Rev P03	

3D Topographical Model with Aerial View
Site Plan as Proposed
 1 : 2500

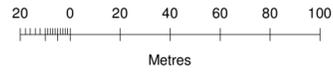




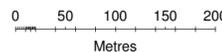
Proposed Section A-A
1 : 2000



Proposed Section B-B
1 : 2000



Proposed Site Plan Indicating Sections
1 : 5000



No.	Description	Date
P01	Planning Issue	06.07.23
P02	Revised Red Line Boundary	12.09.23



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Site Sections			
Forfar Office 01307 462516		Status	
Drawn	Date	Drg Size	Checked
Author	07/05/23	A2	Checker
Job No.	Scale (@ A3)		
S8591	As indicated		
Drg No.		Rev	
1005		P02	

Vehicle access track to perimeter of site.



PHASE 4

New sediment pond and water treatment

PHASE 3

New vehicle access track to broch

PHASE 2

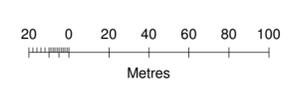
(to include second access & egress route to the base of the quarry)

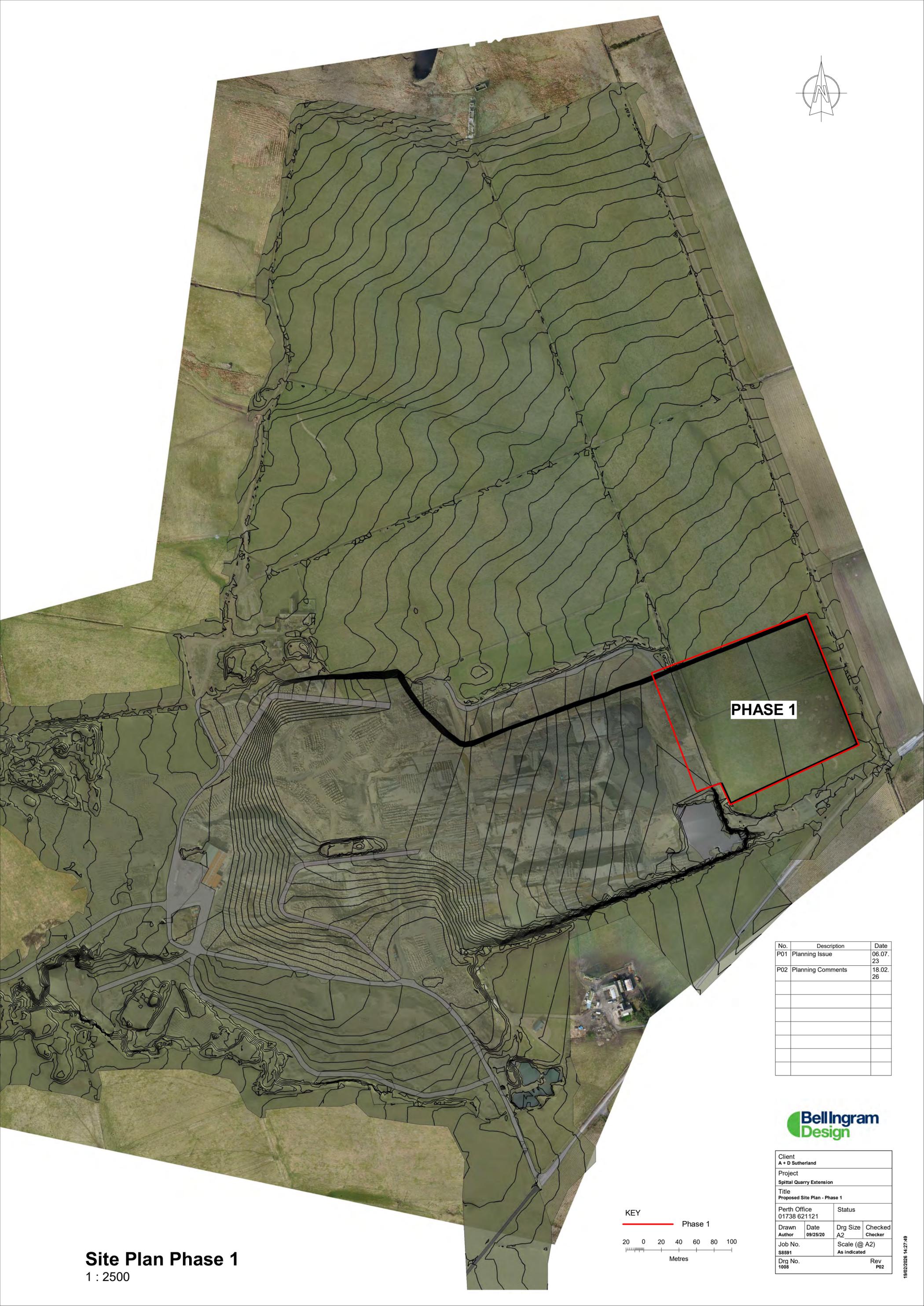
PHASE 1

No.	Description	Date
P01	Planning Issue	06.07.23
P02	Revised Red Line Boundary	12.09.23



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Phase Plan			
Perth Office 01738 621121		Status	
Drawn LC	Date 12/20/21	Drg Size A2	Checked IC
Job No. S8591		Scale (@ A2) As indicated	
Drg No. 1006			Rev P02



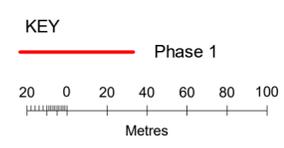


PHASE 1

No.	Description	Date
P01	Planning Issue	06.07.23
P02	Planning Comments	18.02.26



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Site Plan - Phase 1			
Perth Office 01738 621121		Status	
Drawn Author	Date 09/25/20	Drg Size A2	Checked Checker
Job No. S8591		Scale (@ A2) As indicated	
Drg No. 1008			Rev P02



Site Plan Phase 1
1 : 2500

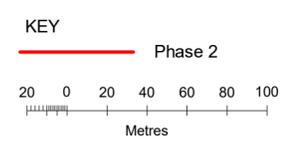


PHASE 2
 (to include second
 access & egress route to
 the base of the quarry)

No.	Description	Date
P01	Planning Issue	06.07.23
P02	Planning Comments	18.02.26



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Site Plan - Phase 2			
Perth Office 01738 621121		Status	
Drawn LL	Date 10/06/20	Drg Size A2	Checked JC
Job No. 8891		Scale (@ A2) As indicated	
Drg No. 1010		Rev P02	



Site Plan Phase 2
 1 : 2500



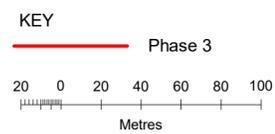
New sediment pond and water treatment

PHASE 3

No.	Description	Date
P01	Planning Issue	06.07.23
P02	Planning Comments	18.02.26



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Site Plan - Phase 3			
Perth Office 01738 621121		Status	
Drawn Author	Date 10/06/20	Drg Size A2	Checked Checker
Job No. 8891		Scale (@ A2) As indicated	
Drg No. 1012		Rev P02	



Site Plan Phase 3
1 : 2500



PHASE 4

B-B
1005

A-A
1005

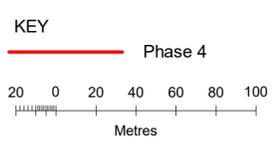
C-C
1015

No.	Description	Date
P01	Planning Issue	06.07.23
P02	Planning Comments	18.02.26



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Site Plan - Phase 4			
Perth Office 01738 621121		Status	
Drawn Author	Date 10/08/20	Drg Size A2	Checked Checker
Job No. 58591		Scale (@ A2) As indicated	
Drg No. 1014		Rev P02	

Site Plan Phase 4
1 : 2500



Refer to Section C-C for detail of boundary treatment to the track to the Western, Northern and Eastern boundary of site.

Drainage channel with 5m wide margins, created to encourage surface water run-off to flow in the direction of the sediment pond.

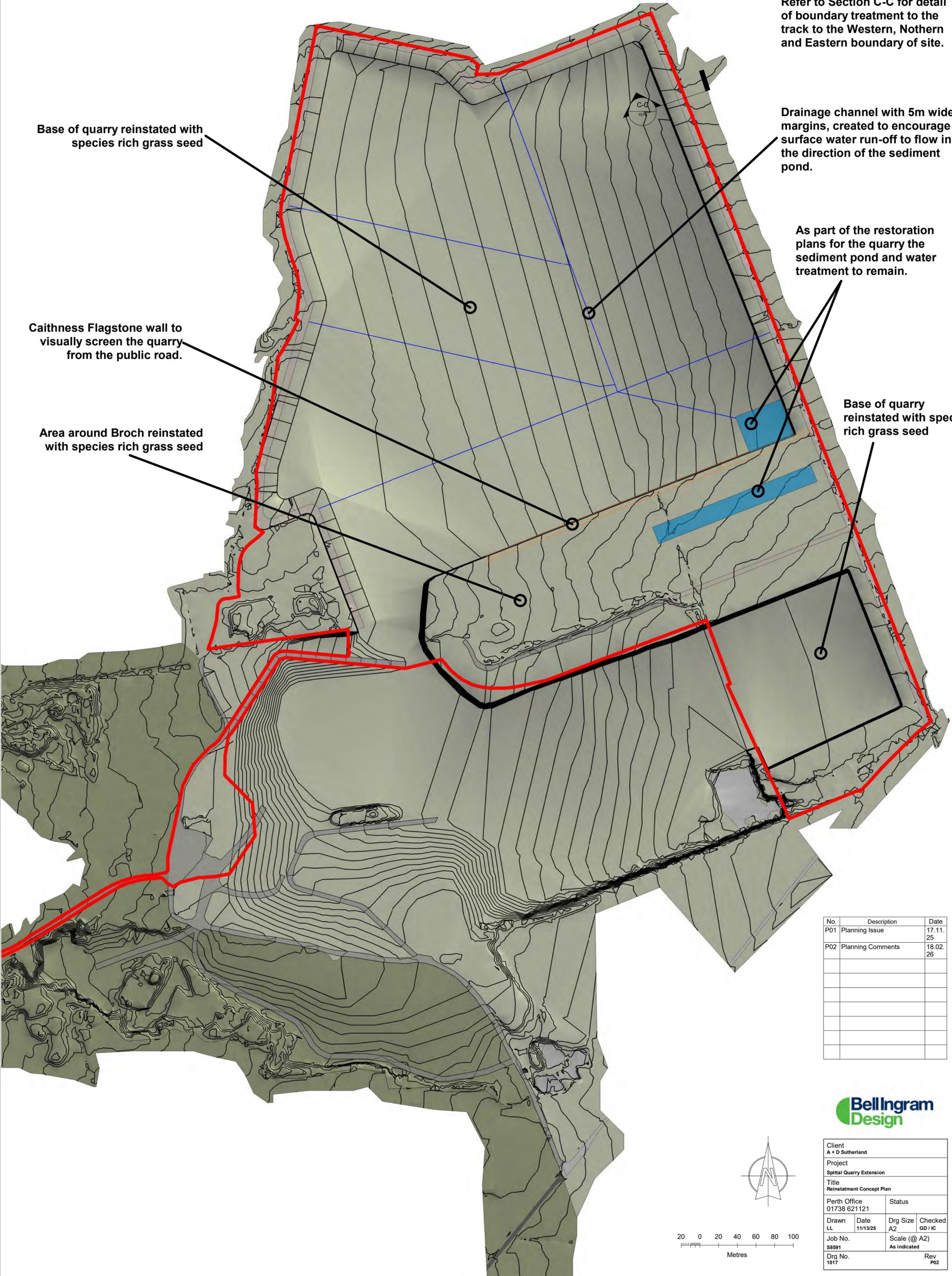
As part of the restoration plans for the quarry the sediment pond and water treatment to remain.

Base of quarry reinstated with species rich grass seed

Base of quarry reinstated with species rich grass seed

Caithness Flagstone wall to visually screen the quarry from the public road.

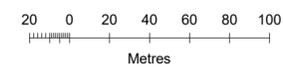
Area around Broch reinstated with species rich grass seed

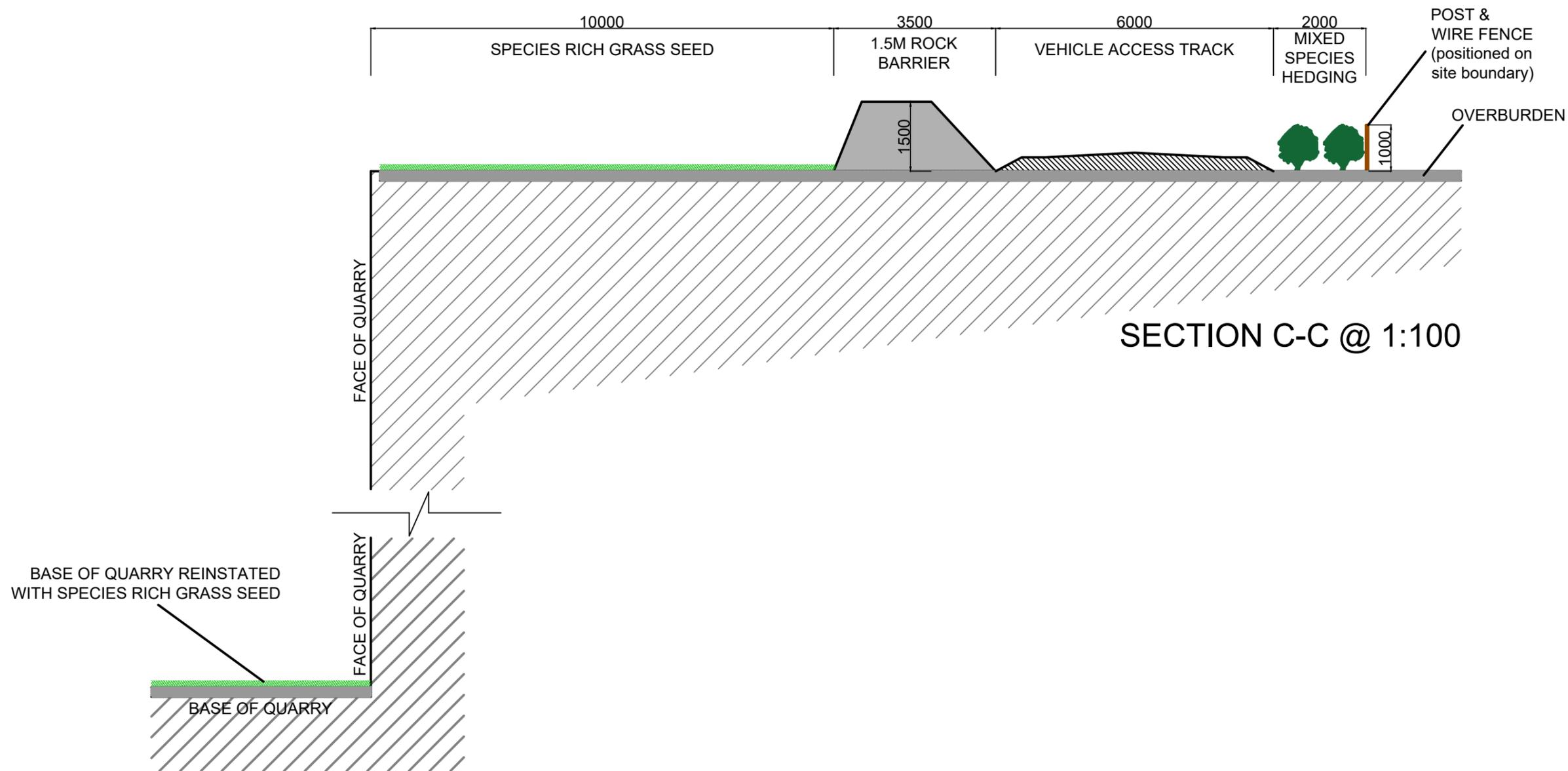


No.	Description	Date
P01	Planning Issue	17.11.25
P02	Planning Comments	18.02.26



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Reinstatement Concept Plan			
Perth Office 01738 621121		Status	
Drawn LL	Date 11/13/25	Drg Size A2	Checked GD / IC
Job No. 8891		Scale (@ A2) As indicated	
Drg No. 1017		Rev P02	

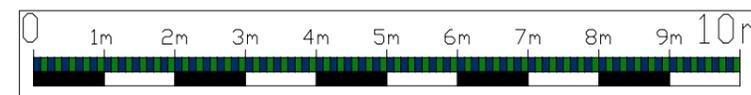




Revision	Date
P01 First Issue	24.11.2025
P02 Site boundary note added.	16.02.2026



Client A & D Sutherland			
Project Spittal Quarry			
Title Proposed Edge Protection			
Branch Forfar		Telephone 01307 462516	
Drawn LL	Date Nov'25	Drg Size A3	Checked GD / IBC
Job No. S8591		Scale 1:100	
Drg No. 1018			Rev P02



Mixed species hedge to northern & western boundary

Mixed species hedge to eastern boundary.

Drainage channel with 5m wide margins. 5m margin to be seeded with species rich grass seed.

Base of quarry reinstated with species rich grass seed

Caithness Flagstone wall to visually screen the quarry from the public road.

Area around Broch reinstated with species rich grass seed

Base of quarry reinstated with grass seed

No.	Description	Date
P01	Planning Issue	17.11.25
P02	Planning Comments	18.02.26



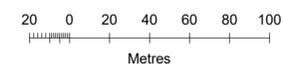
Mixed species hedge



Caithness Flagstone wall



Species rich grass seed



Client A + D Sutherland			
Project Spittal Quarry Extension			
Title Proposed Landscape Plan			
Perth Office 01738 621121		Status	
Drawn LL	Date 11/17/25	Drg Size A2	Checked GD / IC
Job No. S8891		Scale (@ A2) As indicated	
Drg No. 1019		Rev P02	