

PROPOSAL OF APPLICATION NOTICE

Reference: 20/01068/PAN

Applicant: MacLeod Construction Limited

Proposal: Proposal of application notice for proposed north eastern extension to existing sand and gravel quarry extending to some 4ha (extension to allocation reference MIN-AL 12/2)

Site Address: Kilmartin Quarry, Upper Largie, Kilmartin

1.0 BACKGROUND

A proposal of application notice (PAN) has been submitted for an extension to the existing Kilmartin Quarry, Upper Largie, Kilmartin. The PAN is required as a result of the proposal qualifying as a major application through the Town and Country Planning (Hierarchy of Development) (Scotland) Regulations 2009.

The normal expectation of planning officers would be for a consultation process involving face to face meetings with local stakeholder groups and an open event for members of the public. The current COVID-19 pandemic and rules on social distancing has meant that a public meeting and 'drop in' session has not been possible. However, the Scottish Government has introduced flexibility to the method of public consultation through the Chief Planner's letter dated 3rd April 2020. This letter accepted the difficulties with respect to public gatherings but still placed the onus on the applicant to conduct stakeholder consultation. In this regard the applicant intends to set up a website to display the proposal information and allow for feedback in addition to holding a virtual consultation event through the community council. This was scheduled for 12th August 2020 and included a question and answer session. In addition to Dunadd Community Council the applicant has identified Kilmartin Museum as a further community stakeholder group.

Properties in Kilmartin will be notified of the opportunity to view the proposal on MacLeod Construction's website. Householders will be notified by letter drop.

Officers consider that the proposed measures meet with the requirements as set out in Scottish Government Circular 5/2009 taking account of the aforementioned Chief Planner's letter.

2.0 SITE DESCRIPTION

The site is the existing Kilmartin Quarry which has been worked for a significant period of time with permissions extending back to 1986. The original extraction void has been worked and is in the process of restoration but the processing plant and settlement ponds remain in situ and are expected to support the proposed extension. Permission has been granted for an extension to the west. Access is taken via the A846 main road off a single track to a point just north of the centre of Kilmartin village.

The proposed extension is to the north east and extends to some 4ha. The land is currently agricultural with some mature trees across the site. The extension follows the same route as the workings for the existing extraction area with the site bounded by agricultural fields, the A816 to

the east and the existing working plant and processing area to the south. Access is proposed from the existing route off the A816 in Kilmartin as utilised by the current workings.

There are no details within the PAN regarding extraction volume, vehicular movement etc. These will all be processed through the submission of any future planning application.

3.0 DEVELOPMENT PLAN POLICY

These submissions are not planning applications and therefore do not require to be evaluated and determined in accordance with Section 25 of the Planning Act against the Development Plan and its policies at this stage. In considering the merits of the PAN a number of Development Plan Policies will inform the assessment of any future detailed application as set out below:

Argyll and Bute Local Development Plan (March 2015)

LDP STRAT 1 – Sustainable Development

LDP DM 1 – Development within the Development Management Zones

LDP 3 – Supporting the Protection Conservation and Enhancement of our Environment

LDP 5 – Supporting the Sustainable Growth of our Economy

LDP 8 – Supporting the Strength of our Communities

LDP 9 – Development Setting, Layout and Design

LDP 10 – Maximising our Resources and Reducing our Consumption

LDP 11 – Improving our Connectivity and Infrastructure

Argyll and Bute Supplementary Guidance (2015)

SG 5 - Sustainability Checklist

SG LDP BAD 1 - Bad Neighbour Development

SG LDP BUS 2 - Business and Industry Proposals in the Countryside Development

SG LDP CC 1 - Climate Change and Sustainable Development

SG LDP ENV 1 - Development Impact on Habitats, Species and our Biodiversity (i.e. biological diversity)

SG LDP ENV 7 - Water Quality and the Environment

SG LDP ENV 11 - Protection of Soil and Peat Resources

SG LDP ENV 14 - Landscape

SG LDP ENV 20 - Development Impact on Sites of Archaeological Importance

SG LDP MIN 2 - Mineral Extraction

SG LDP TRAN 1 - Access to the Outdoors

SG LDP TRAN 4 - New and Existing, Public Roads and Private Access Regimes

4.0 POTENTIAL MATERIAL CONSIDERATIONS

In addition to the adopted Local Development Plan (March 2015) the planning authority will need to consider the following potential material considerations. Furthermore, depending on the timing of the submission there may need to be a formal assessment against the policies proposed within LDP 2.

- Scottish Planning Policy
- Planning Advice Note 50 (Controlling the Effects of Surface Mineral Workings) and annexes
- Planning Advice Note 64 (Reclamation of Surface Mineral Workings)
- Planning history
- Statutory and non-statutory consultee responses
- Potential third party representations that raise material planning considerations
- Local Development Plan 2 Proposed November 2019

5.0 CONCLUSION

This report sets out the information submitted to date as part of the PAN. Summarised are the policy considerations, against which any future planning application will be considered as well as potential material considerations. The list is not exhaustive and further matters may arise as and when any planning application is received, and in the light of public representations and consultation responses.

6.0 RECOMMENDATION

It is recommended that Members have regard to the content of the report and submissions and provide such feedback as they consider appropriate in respect of the PAN to allow any matters to be considered by the applicant in finalising any future planning application.