

1.5 The current proposal is for the extension of the existing quarry, the stepping of the benches within the quarry face, the formation of a temporary access road and the restoration of the entire site. The proposal is for the continued working of the quarry through phased rock extraction from a northerly extension, a sinking of the quarry floor within the existing quarry and early restoration of the headwall and side faces. The total overall area of the application extends to 15.21 Ha and relates to the existing quarry and extension (12.71 Ha), the former stocking area (1.27Ha), and proposed new access route (1.23 Ha). The proposed extension relates to an additional land take of 2.06 Ha which increases the current agreed excavation area by 1.63Ha to 9.93Ha. Reserves of 3.24 million tonnes have been identified The current level of extraction is in the region of 110,000 to 150,000 tonnes per annum, the proposed rate of extraction would be approximately 150,000 tonnes per annum. The excavated mineral would be transported to the applicants existing processing plant via the existing ground level conveyor system. The processed mineral would then be distributed by road utilising the new haul road on to the A914. The applicant anticipates the volume of traffic would be at a similar level as that currently generated by the site. The anticipated operational life of the quarry would be extended to some 21 years 6 months with a further 6 months required for restoration.

1.6 Recent development has concentrated on reducing the operational faces to safe heights of between 12 and 15 metres. The quarry floor is currently at 95 metres AOD with variable benches at 107-112m, 125m, and 148-152 metres. A haul road runs around the southern, western and north western edges of the site. Crushing and screening are currently undertaken by fixed plant on the quarry floor, stockpiles of crushed stone are also stored on the quarry floor. Access to the quarry is via the A914, with vehicles travelling west and north through Balmullo village, then turning west onto Quarry Road.

Proposed Method of Extraction

1.7 The applicant proposes to remove the rock in a phased operation to reduce the height of the existing worked faces, the maintenance of adequate bench widths to maximise effective restoration blasting, to optimise reserves, optimise reserves while minimising land take and landscape and visual impact during the working life of the quarry and the need to provide a haul road access to the upper benches. Works would be undertaken in three phases as indicated in the Method of Working Plans - figures 3.2a, 3.2b and s.2c of the accompanying EIA. The proposed extension would be worked in progressive phases with each restored as it is worked. The top soil and stony glacial drift (overburden) would be utilised to form a screen bund on the northern boundary of the site this would divert run off from surrounding catchment around the headwall of the quarry shedding run off to the east and west. To minimise visual impact the bunds would be a maximum of 1 metre in height and be seeded to provide early vegetation cover. On completion of the peripheral bunds the remaining soils and drift would be removed and either used immediately for the restoration of the western slope below the access ramps or transported and stored within the areas reserved for soil/drift storage within the existing quarry (Figure 3.2 of the proposals).

1.8 In addition to the extraction works other operations would be undertaken if consent were granted, namely:

a) The formation of a new access road from the A914 through the fields to the north and north east of Balmullo to Quarry Road. (Figure 2.3 of the application refers) The applicants propose that the section from Quarry Road to School Road is constructed to an adoptable standard and that it would effectively replace the existing Quarry Road which would be retained for pedestrian and cycle access. 1 metre high seeded bunds grassed and planted with a hedgerow would be created next to the proposed road. Any surplus soils would be transported to the quarry and used for the ongoing restoration of the former stocking area or stored for future use in the restoration of the quarry floor.

b) Within the first year of operations 0.64 Ha of the existing stocking area shall be restored, the remainder would be retained as a car parking and vehicle sheeting area. The flat top grassed area shall be seeded using a native seed mix and the regraded slope seeded with gorse, once ground cover is established tree and shrub planting shall be undertaken. Stocking for future operations shall be accommodated within the quarry.

1.9 The proposed rate of extraction works can be summarised as follows

Phase 1: 600,000 tonnes of mineral extracted over a period of 4.25 years

Phase 2: 1,350,000 tonnes of mineral extracted over a period of 9 years

Phase 3: 1,230,000 tonnes of mineral extracted over a period of 8 years 2 months

The proposed scheme would have an operational life of 21 years and 6 months with a further 6 months required for restoration.

1.10 The hours of working at the quarry are proposed to continue for the duration of the proposed extended works. The current hours for rock production, crushing, processing and despatch are 7.30 hours to 17.00 hours Monday to Friday and 08.00 hours to 12.00 hours on a Saturday. Blasting is undertaken between 09.00 hours to 17.00 hours Monday to Friday.

1.11 The potential impact of the proposal on the ecology of the site and the methodology for the restoration is detailed in the accompanying environmental statement.

2.0 Planning Issues

2.1 As this is a report for a hearing regarding a departure from the development plan, this section identifies the planning issues only and does not include any assessment of those issues or recommendation.

2.2 The issues can be separated into the following headings:

Status of the Development Plan

2.3 The application site is designated as countryside. Policy COU 1 of the adopted Cupar and Howe of Fife Local Plan 2003 states that the Council will not support development proposals unless they relate to agriculture, forestry, mineral working, outdoor recreation or other uses which must have a countryside location.

2.4 The site is not located within a settlement and therefore falls to be considered against the policies relating to development in the countryside.

2.5 As the application is for mineral development the provisions of the Minerals policies of the Fife Structure Plan 2002, and the Finalised Fife Structure Plan 2006 are also relevant in this case.

Fife Structure Plan 2002

2.6 Policy R1 seeks to ensure that mineral resources that are or maybe of commercial interest are safeguarded from development which would sterilise the possibility of future exploitation of that resource. Policy R2 encourages the sustainable use of resources to meet local need rather than import minerals to Fife. Policy R3 establishes the criteria against which mineral extraction will be assessed. Six criteria are specified

- a) mitigation of negative effects of noise, dust and vibration, ensuring they do not exceed acceptable levels;
- b) minimisation of the visual intrusion and impact on the landscape;
- c) prevention of significant adverse impact on the built environment;
- d) the separation of working faces and settlements
- e) practicable proposals, secured by a financial bond, for development monitoring, site restoration and an aftercare scheme to achieve a planned after use; and
- f) measures for water courses that will prevent pollution, sedimentation and flooding

2.7 Policy R4 Construction Aggregates establishes the need to ensure that new developments do not exceed the assessed landbank for mineral resources.

2.8 The Fife Minerals Subject Local Plan 2004 was adopted in February 2004.

2.9 Policy Min 5 ensures that proposals take cognisance of the potential environmental, economic, and social impacts whilst reflecting issues in the Development Control Guidelines. Policy Min 6 ensures that a ten year landbank of mineral resources is maintained. Policy Min 9 stipulates that minerals proposals must not have detrimental impact on the Fife economy. Policy Min 12 seeks to ensure that proposals generate minimum traffic by considering all potential transport options. Policy Min 15 Specifies that mineral extraction should ensure that any detrimental effects on residential amenity are minimised and that extraction should comply with the provisions of Planning Advice Note 50 on surface mineral extraction with specific reference to noise, dust, blasting and light nuisance. Policy Min 19 seeks to ensure appropriate standards of restoration and aftercare. Policy Min 20 provides a policy framework against which to secure restoration through bonds and legal agreements. Policy Min 23 to ensure any footpaths and cycleways or other routes are preserved or measures put in place to restore original routes after works cease. Policy Min 25 requires that proposals for mineral extraction should provide a justification against the Fife Landscape Character Assessment. Policy Min 27 requires developers to submit regular monitoring and environmental and technical information. Policy Min 28 makes provision for developers to establish their track record and achievements in relation to restoration and environmental issues. Policy Min 30 requires developers to submit information on individual sites covering issues including; production figures; remaining reserves; market area served.

St Andrews Area Local Plan 1996

2.10 The minerals policy in the St Andrews Area Local Plan 1996 reflected the provisions of the policy documents noted above, with the exclusion of the Fife Minerals Subject Local Plan 2004 and the Finalised Fife Structure Plan 2006 which it predates. Policy E23 Mineral Extraction is superseded by the Fife Minerals Subject Local Plan 2004.

National Guidance

2.11 SPP1 "The Planning System" sets out central government policy in relation to land use and accommodating development while protecting the environment. NPPG 4 Land for Mineral Working (Amended 2001), provides guidance on locational and operational considerations of mineral workings and policy guidelines for individual minerals. In general, it is recognised that the need to work mineral resources must be reconciled with care for the environment in order to attain sustainable development, particularly in relation to the natural and built heritage and existing communities. PAN 50 sets out best practice in relation to the environmental impact of surface mineral workings. NPPG 5 Archaeology and Planning establishes best practice for addressing the issues arising where Archaeology is present within a site.

2.12 It will be noted from the Environmental Statement only the policies of the Fife Structure Plan ~~1994~~ (superseded) have been referred to in the statement.

Residential Amenity

Noise

2.13 The site is within an area where there is a presumption in favour of mineral extraction within and adjacent to an existing quarry. However it is also in close proximity to existing residential and accommodation at the edge of Balmullo. The applicants propose to operate within the same hours of operation as the existing quarry, however they have undertaken noise assessments to address the potential disturbance from plant and machinery operating within the site. In addition the potential for road traffic noise disturbance has also been assessed. The acoustic reports indicate that the operations would be within the criteria set down by PAN 50 (Annexe A) which relates to noise from mineral operations.

Dust

2.14 The applicants indicate in their Environmental Assessment that a Dust Management Strategy will be implemented at the site to control dust arising from the haul roads and vehicle movements by water spraying. All potential sources of dust generation will be considered by the monitoring strategy and appropriate mitigation measures specified. The applicants consider the implementation of the Dust Management Strategy would lead to low dust emissions from the site and that it would be unlikely that there would be any reduction in air quality.

2.15 Environmental Services have suggested conditions to limit the noise, dust and other amenity issues potentially generated by operations at the site and have specified that the operations should comply with the relevant PAN 50 guidance and suggest additional conditions to address concerns with residential amenity.

Namely:

- 1) The hours of operation of plant and equipment associated with the extraction, processing and transport of hard rock shall be restricted to Monday to Friday 7.30 to 17.00 and 8.00 to 12.00 hours on a Saturday.
- 2) With the undernoted exceptions noise levels generated by normal mineral extraction operations shall at no time, exceed:
 - a) 45dB(LAeq) 1 hour (freefield) or
 - b) 10dB(A) above the measured background level (whichever is the greater) at any noise sensitive premises

Where drilling is being carried out in unison with other normal mineral extraction operations the following noise levels shall not be exceeded

Woodfield Phase 1 48dB LAeq 1hour
 Phase 2 48dB LAeq 1hour

Hayston Park Phase 1 50dB LAeq 1hour
 Phase 2 50 db LAeq 1 hour

North End of Phase 1 51dB LAeq 1hour
Pitcairn Drive Phase 2 51dB LAeq 1hour
Phase 3 51dB LAeq 1hour

Noise from any plant or machinery associated with normal mineral extraction operations shall be controlled such that it does not exceed 65dB LAeq 1hour at the boundary of Lucklaw Woods.

Drilling operations shall be carried out on no more than 30 days in any calendar year.

3) Soil movement and placement operations and the formation of soil mounds shall be carried out for no more than 8 weeks in any one year. During periods when this work is being carried out, noise from any other plant and machinery shall be controlled such that it does not exceed 70 dB LAeq 1hour (freefield) at any adjacent noise sensitive premises and 65 LAeq 1 hour at the boundary of Lucklaw Woods.

The number of drilling days shall be included within the 8 weeks allowable for temporary works in any one year.

The noise from quarry vehicles using the new haul route shall not exceed 45dB LAeq 1 hour when measured at any existing sensitive property.

All recommendations relating to bunding along the new haul road in the ES shall be carried out in full.

4) White noise reversing systems shall be used on all vehicles operating at the site.

5) All vehicles maintained and operated to comply with manufacturers specifications and shall be fitted with effective silencers.

6) A noise monitoring scheme shall be submitted to Fife Council

7) Maximum ground vibration for blasting at any nearby vibration sensitive property shall be of peak particle velocity of 6mm/sec in 95% confidence level of any consecutive block of 20 blasts with no individual blast exceeding a peak particle velocity of 10mm/sec.

The maximum ground vibration for blasting at the water reservoir and the hill top telecommunications mast shall be of peak particle velocity of 50mm/sec at 95% confidence level. The records should be kept for inspection if required.

8) A scheme for monitoring the blasts should be submitted and agreed with Fife Council.

9) Blasting shall only be carried out between the hours of 10.00-12.00 and 14.00 -16.00 Monday to Friday.

10) A scheme for monitoring blasting including the location of monitoring points and equipment to be used shall be submitted to the council. The scheme shall be agreed by fife Council as Planning Authority prior to commencement of the blasting activities. Records should be kept of all blast noise monitoring together with any complaints which may be received. The records should be kept readily available for inspection if required.

11) A notice shall be supplied to the council in the form of a facsimile message to an agreed officer giving at least 48 hours advance warning of the dates and times of blasting throughout the lifetime of the quarry unless otherwise agreed in writing with Development Services. Site notices shall be displayed in positions and times to be agreed with Development Services giving warning to the public of blasting times.

12) The best industry guidance shall be adopted to reduce the effects of air over pressure on any noise sensitive building or structures.

13) Dust control measures shall be operated in accordance with the provisions of the submitted Dust Assessment.

The operator shall carry out a visual assessment of dust emissions on a daily basis. Details of all visual assessments shall be recorded in a log book kept on site which will include date, time and wind direction, observations and identification of observer. If extreme adverse conditions are experienced the operator shall temporarily cease all dust causing activities that give rise to concern.

A dust monitoring scheme shall be submitted to Fife Council. The dust monitoring scheme shall be agreed in writing by Fife Council and implemented prior to the commencement of the proposed quarry extension works.

Records should be kept of all air quality monitoring together with any complaints which may be received. The records should be kept readily available for inspection of required.

Visual Amenity

2.16 SNH considers that additional information is required in order to fully assess the implications and practicalities of the implementation of the restoration scheme. They have objected to the scheme from a visual amenity perspective; however recommend conditions and provisions to be incorporated into a legal agreement to ensure that an acceptable restoration scheme is carried out in full subject to the above modification. Note is also made of the need to divert the existing Right of Way along the top of the quarry which currently extends through the proposed extension site. SNH have also expressed concern about the appearance of the proposed access route and its potential impact on the surrounding countryside.

2.17 SNH suggest that the proposed restoration scheme should clearly illustrate a more naturalistic landform particularly on the upper slopes of the proposed restoration and seek a more undulating less even engineered approach to achieve a better fit with the existing landscape. They support the proposed establishment of heathland in order to tie in the restored upper levels with the existing vegetation types. SNH consider that the establishment of heathland is highly dependant on the substrate and climate of the area within which it is sited and further evidence of how and where this has been achieved elsewhere should be submitted.

2.18 SNH have suggested a number of conditions and matters to be included in a Section 75 legal agreement. These items are detailed in their consultation response in the accompanying papers.

Road Safety

2.19 Transportation Services have recommended refusal as the proposal would introduce additional traffic movements on to an unrestricted road in the countryside, JMP who manage the trunk road network on behalf of the Scottish Executive have no objection to the proposal.

Hydrology and Drainage

2.20 The Environmental Statement indicates that the site would have very little if any impact on the existing hydrology of the area. The proposed bunding around the perimeter of the site would prevent water entering the site with precipitation falling within the site being collected in the quarry floor where it would naturally percolate through the quarry floor as at present. Any fuel oil lubricants etc would be handled within the site in accordance with SEPA guidelines to prevent pollution of any watercourse. Borehole investigations have confirmed that there is no groundwater within the excavation and therefore there would be no impact on groundwater in surrounding strata.

Ecology

2.21 There are no designated sites within the boundary of the proposal or within its vicinity. There is a non statutory conservation site within the extension area, Lucklaw Hill which is one of a number of Scottish Wildlife Trust Listed wildlife Sites designated for its dwarf shrub heath and unimproved grassland, both habitats are considered to be rare and declining in Fife. Desk studies have been undertaken and as noted above SNH have commented on the implications of the quarry on the heathland. Note is also made of the potential impact on bird species using the hill and SNH recommend that no works are undertaken during the nesting and breeding period of these species as they are protected under the terms of the Wildlife and Countryside Act (1981) and The Nature Conservation (Scotland) Act 2004. They acknowledge the good practice currently implemented by the quarry operators to protect these species.

Archaeology

2.22 The applicants have undertaken a desk based assessment and walkover survey and have indicated that there are no features of archaeological interest in the site boundary or with in such proximity that there could be an archaeological impact. Fife Council's archaeologist has had discussions with the applicant in relation to the quarry and conditions requiring archaeological works and or monitoring would be required.

Rights of Way

2.23 Two Rights of Way are affected by the proposal. The right of way on Lucklaw Hill would require to be diverted around the proposed extension. The path has previously been diverted around the existing quarry operations. An additional Right of Way which runs from Westfield to Smithy Road would be dissected by the proposed new access road. A crossing point is proposed to be defined to permit pedestrians to cross the road.

2.24 All work to the Rights of Way would need separate applications for Diversion Orders.

Representations

2.25 The issues raised by representees and consultees are noted above.

Issues for consideration:

- Visual Impact of Proposal
- Implications of Working over a longer period than Enforcement Notice
- Operating Times
- Impact on Natural Habitat
- Road Safety Issues

- Provision of Temporary Access Road from A914 to Quarry Road
- Residential Amenity
- Impact on Rights of Way
- Impact on Flora and Fauna
- Proposed Restoration Scheme

BACKGROUND PAPERS

The documents, guidance notes and policies referred to in "Statutory Policies and Approved Guidance".

Report prepared by Alastair Hamilton, Lead Officer

Answer.

Sent to Willie Ross, 9/5/06

AM

FIFE COUNCIL TRANSPORTATION SERVICES

To: DEVELOPMENT SERVICES
Team Leader Development Control (East)
Fife Council
County Buildings
St Catherine Street
CUPAR
KY15 4TA

From : AREA TRANSPORTATION MANAGER
EAST AREA
DEVELOPMENT CONTROL TEAM
COUNTY BUILDINGS
ST. CATHERINE STREET.
CUPAR.
KY15 4TA

FAO Alastair Hamilton, Grant Baxter,
Samantha Stone, Chris Smith Shelley Thomson, Suzanne Carson
Proposal:

EXTENSION TO BALMULLO QUARRY AND CONSTRUCT
NEW ACCESS ROUTE TAT BALMULLO QUARRY LUCKLAW
QUARRY ROAD BALMULLO FIFE

Planning App. 05/00835/EEIA

Our Ref: RS/200/DC.01.06

Date 16 May 2005

Telephone: 01334 412887

| | | | | |
|----------------|--------------------------------------|--------------------------|--|-------------------|
| ap Ref 4221 | Construction Consent Required Yes | Road Bond Required NO | Footway Crossing Permit Required NO | OUTLINE DETAIL |
|----------------|--------------------------------------|--------------------------|--|-------------------|

I have assessed the above application and, recommend **refusal**, for the reasons listed below, all **in the interest of road safety**.

There is a presumption against the formation of new accesses or the intensification of use of existing accesses on unrestricted distributor roads out with established built up areas on the grounds that such accesses introduce access traffic manoeuvres which conflict with through traffic movements and hence increase the probability of accidents to the detriment of road safety.

Note to Committee

Should Committee be mindful to grant approval in this instance I would welcome the imposition of the following conditions. These recommendations assume that the planning merit of this proposal is sufficient to outweigh any general road safety concerns that such an access location may give rise to in principle.

1. All works done on or adjacent to existing public roads shall be constructed in accordance with the current Fife Council Transportation Development Guidelines.
2. Visibility splays of 6m x 210m shall be provided and maintained clear of all obstructions above the road channel level, at the junction of the vehicular access and the public road, in accordance with the current Fife Council Transportation Development Guidelines.
3. The new access junction shall be constructed under a Roads (Scotland) Act 1984 Construction Consent permit obtained from Transportation Services.
4. Details of means of prevention of use as a public road to be agreed with the Area Transport Manager prior to opening of road.

pp. AREA TRANSPORTATION MANAGER

- 9 DEC 2005

Balmullo Quarry Extension Application

Dear Sir,

I refer to my recent, denied, request for an opportunity to discuss some specific aspects of the above application with staff of Development Services.

Last year I spoke/and met with Nick Brian in the Capat office as regards this matter. He advised of a potential willingness to reconsider the earlier refusal of an application to extend the quarry based upon - proposals for a new access road - out with the village - and approach which eliminated, early the adverse visual impact of the storage areas to the south of the road to the quarry. Mr Brian invited me to seek a further meeting with him/offices involved with the processing of a future Custom Thistle planning application to discuss relevant matters when such was received.

I have received no neighbour notification of the application although I understand that my property boundary abuts with that of Custom Thistle, if not with the area covered by the submitted application. It may be that I was not due to receive a neighbour notification since the operation area identified in the application does not abut with the boundary of this property. Notwith standing this is not a

matter of concern to me since I am fully aware of the
Thistle's application. However, if I was due to receive a
neighbour's notification and did not there may be an issue as
regards the validity of any subsequent decision made - and I
raise this matter only in this regard.

The matters I specifically wish to raise are as follows

1) Restoration (early) of the product storage area

At my earlier meeting(s) with Mr Brown I said that
 whilst the Quarry itself had a certain "individual character"
 the unvegetated slopes of the product storage area (and the
 storage heaps themselves) were visually very unattractive and
 a distinctly negative element in the landscape as viewed
 from surrounding roads/areas.

Having read the Lushmore Thistle planning application
 Seek messrs I am not clear as to the extent of works
 which address these matters - in early course. It is my view
 that ~~all~~ all of the works to improve/reinstale this area
 should be required to be implemented at the earliest/initial
 stage. I do fully accept the need for a car park for
 the work force and area to store lorries (-loaded) for an
 initial period. However, all works to treat this area
 including its surface and the vegetational cladding of the
 the SW facing slopes should be required to ^{be} implemented at
 the outset and not left to any later stage. This would
 bring early environmental gain for the "cost" of enhanced/
 longer term working.

Further, this work should in my view be closely
 monitored by the Council as regards its effective
 implementation. I take no issue with the quarry
 having an extended lifespan and offering longer term

employment to its workforce. I do consider that the maximum of early positive environmental improvement actions is a more than reasonable requirement on the operators.

The Eustone Thistle submission makes reference to a City Council "enforcement action" requiring treatment (early) of the product storage area to the south of the Quarry. I would be grateful if you could advise me of the terms of this.

The Eustone Thistle submission makes reference to the works that have been undertaken in relation to the foregoing whilst I am aware that there has been some removal of product stored a significant volume of stored - less than 6mm product remains and I cannot detect any other works on this area as regards its surface, surface slopes etc. As I say I would be interested in knowing of the Council's requirements in this regard - as regards its "enforcement action".

The Eustone Thistle submission addresses the issue of dust/dustiness and refers to the very limited number of days which this property - Haggston Park - encounters problems - 6 days p.a. is referred to - The definition of a "problem" is clearly very material to the assertion. I can say that since purchasing the property "blowing" and washing the south-facing windows has been necessary every 10-20 days at maximum and blowing quantity of off parked vehicles is fair/fair greater than 6 days p.a. It does seem that the dust problem has increased in recent times 12-14 months. I had felt that this might be due to the accelerated uplift of material from the storage areas to the south of the quarry, however this

only a heap of < 6mm material remains on the product storage on
 whilst in no way wishing to be negative to
 the operations of the company and the continued employment
 its workforce I would ask that consideration be given to -
 in the conditions of any contract - the Council/and or SEPA installing
 monitoring equipment to independently monitor dust levels

I regret that your affair concerned that he would
 not have the time to discuss matters arising from the
 points made above and I would ask that this statement
 be reviewed/changed.

I look forward to hearing from you regarding
 all of the points raised in this letter.

Mr Alastair Hamilton
Development Services
Fife Council
County Buildings
St Catherine Street
Cupar
Fife
KY15 4TA

| | | |
|--------------------------------------|------------------------|---------------|
| FIFE COUNCIL DEVELOPMENT SERVICES | | 6266 |
| To: <u>A.H.</u> | For: ACTION/REPLY/INFO | OBS/CTEE/SV |
| Rec'd | Monitor | RESPONSE |
| YES/NO | 3 AUG 2006 | ----- days |
| Consult | ----- | |
| Note | ----- | |
| File Reference | ----- | |

2 August 2006

Our ref: WB/ET/BAL/24
Your Ref AH/EA/05/00835/EEIA

Dear Mr Hamilton

**ENNSTONE THISTLE LTD
EXTENSION TO BALMULLO QUARRY AND CREATION OF NEW ACCESS ROUTE
APPLICATION NO. 05/00835/EEIA**

I refer to the recent Departure Hearing and your letter of 7th July 2006 requesting additional information and respond accordingly.

1 Planting on Access Route

The following comments incorporate and add to the comments made in our email of 3rd July 2006.

The proposed design makes provision for the longterm storage of soils along the access route and requires that the bunds are decommissioned to allow final reinstatement of the route. Planting on temporary bunds shall therefore be lost in the longer term.

Whilst the bunds have been designed to give an element of screening, this has been limited due to the potential for visual impact which would occur as a result of large bunds and the fact that these would block views from the houses of the wider landscape to the north. With the current design it is considered that the bunds will not intrude into the landscape.

The access road will not be visible from the properties. However, the upper part of the haulage vehicles shall and, as these views shall be intermittent throughout the day, the purpose of the planting was to reduce/filter these views, not to create a total block.

It should also be noted that the noise levels on the access route have been assessed and that Environmental Services are satisfied that they meet the required standard. Unless undertaken to significant depth, planting has no significant effect with respect to noise attenuation and the level of noise from vehicles will be the same irrespective of whether or not planting is undertaken. The proposed planting is required for visual screening only.

Ennstone Thistle do not have control of the intervening land so wider planting is not considered to be an option in planning terms. Furthermore the landowners have confirmed that they wish to retain the land for agricultural use.

Beech hedges were originally proposed because, as identified in discussion with the Community Council, this was consistent with planting in the immediate local area. On this matter I attach a copy of a letter received from Lieutenant Colonel Kennedy who owns one of the residential properties in the vicinity of the proposed haul route. Lieutenant Colonel Kennedy accepts that planting can only be undertaken on the bund, that this planting shall be temporary, and suggests a planting list which is indigenous and would achieve the required screening.

Ennstone are willing to vary the proposed planting although this would be limited to the bunds and the narrow strip of land between their toe and the fence boundary. To this end, should the application be approved, Ennstone would be willing to accept a condition requiring that a planting scheme, utilising the suggested species list, be submitted for approval and implementation.

2 Formation of a Liaison Committee

As stated in Section 3.17 of the ES, and confirmed by Mr Gordon at the Departure Hearing, Ennstone Thistle are willing to set up and participate in a liaison committee.

3 Exploration of Improvement to Bend on Logie Road

Ennstone Thistle have considered the possibility of improvement to the bend. It is estimated that the landtake required to realign the road would be approximately twice the area of the existing road curtilage i.e. would require land in private ownership. Potential improvements are further complicated by the fact that access to a private dwelling is taken at the bend and any changes would have to make provision for continued access. As Ennstone Thistle do not have control of the additional landtake required to realign the road they are unable to commit to road improvements.

4 Clarification on the Controls of Dust and of Traffic Movements

Section 13.5.2 addresses the issue of potential dust on the access road.

As discussed at the Departure Hearing, the existing Quarry Road is surfaced [Tar macadam] and it is proposed that the new access road shall also be surfaced for its full length. Ennstone Thistle are committed to maintaining the roads for the duration of operations.

At Balmullo Ennstone Thistle currently operate a policy which requires that all loaded vehicles leaving the site shall be clean and shall require to be sheeted. This policy would be continued for the duration of operations.

A road sweeper shall be brought onto site as required to ensure that dust is not allowed to build up on the haulage route, as is the practice at present. In periods of dry weather the haul route in the vicinity of the quarry access shall be dampened to further reduce the potential for dust uplift.

The recent restoration and seeding of the former stocking area has also contributed to the reduction of propagation by removing the stockpiles which were adjacent to the Quarry Road, and could be susceptible to dust uplift, and by removing the requirement for quarry vehicles to travel back and forward across the road between the internal processing area and the external stocking area.

Having consideration of the above, and the limited number of vehicles using the dedicated haul road as compared to those using the public road network, the potential for a dust impact from traffic is considered to be low and controllable.

It should be noted that Fife Council's Environmental Services are satisfied that the Dust Management Strategy proposed within the ES will adequately control dust and that they have recommended that this be implemented by planning condition.

5 Employment Breakdown

There are currently 14 personnel based at Balmullo Quarry. All personnel reside within 20 miles of the quarry and all reside within Fife Region. The proposal secures longterm mineral reserves and ensures longterm employment.

The site also generates significant indirect employment. During 2005 the site used the services of some 48 firms for supplies, maintenance and specialist support. Of these firms 71% are used on a weekly-monthly basis, the remainder being used at least annually. Approximately 50% of these firms are Fife based, the remainder being located in Dundee, Perthshire, Angus and Stirlingshire. Wherever possible the applicant attempts to use local firms.

6 Further Detailed Specifications Regarding the Maintenance and Improvement of the Existing Access Road

Quarry Road was resurfaced in 2002 in agreement with Fife Council's Transportation Services with a commitment to maintain the road i.e. repair pot holes etc and to replace the surface at the end of the quarry operations to a similar standard. The level of works to be carried out was the subject of consultation and agreement with the Fife Council's Transportation Services.

As identified within the ES Section 13.4.2 it is proposed to divert Quarry Road for the first 125m from its junction with School Road. It is proposed that this stretch of road shall be created to adoptable standards and shall replace the existing junction. This shall result in improved access and visibility for members of the public using this access. The redundant stretch of road shall be retained for pedestrian access only.

The proposed measures to improve School Road section is to re level depressed areas, plane out top coat and replace with a single layer of asphalt material. To be agreed with Fife Council's Transportation Services.

I trust this is of assistance and adequately addresses the identified issues. However should you require further information or clarification on any matter please do not hesitate to contact me.

Yours sincerely



William Booth
Dalglish Associates Ltd

Having consideration of the above, and the limited number of vehicles using the dedicated haul road as compared to those using the public road network, the potential for a dust impact from traffic is considered to be low and controllable.

It should be noted that Fife Council's Environmental Services are satisfied that the Dust Management Strategy proposed within the ES will adequately control dust and that they have recommended that this be implemented by planning condition.

5 Employment Breakdown

There are currently 14 personnel based at Balmullo Quarry. All personnel reside within 20 miles of the quarry and all reside within Fife Region. The proposal secures longterm mineral reserves and ensures longterm employment.

The site also generates significant indirect employment. During 2005 the site used the services of some 48 firms for supplies, maintenance and specialist support. Of these firms 71% are used on a weekly-monthly basis, the remainder being used at least annually. Approximately 50% of these firms are Fife based, the remainder being located in Dundee, Perthshire, Angus and Stirlingshire. Wherever possible the applicant attempts to use local firms.

6 Further Detailed Specifications Regarding the Maintenance and Improvement of the Existing Access Road

Quarry Road was resurfaced in 2002 in agreement with Fife Council's Transportation Services with a commitment to maintain the road i.e. repair pot holes etc and to replace the surface at the end of the quarry operations to a similar standard. The level of works to be carried out was the subject of consultation and agreement with the Fife Council's Transportation Services.

As identified within the ES Section 13.4.2 it is proposed to divert Quarry Road for the first 125m from its junction with School Road. It is proposed that this stretch of road shall be created to adoptable standards and shall replace the existing junction. This shall result in improved access and visibility for members of the public using this access. The redundant stretch of road shall be retained for pedestrian access only.

Once haulage vehicles have transferred onto the new access route measures are proposed to improve School Road. The works would re-level depressed areas, plane out top coat and replace this with a single layer of asphalt material. The exact specification of works would be subject to agreement with Fife Council's Transportation Services.

I trust this is of assistance and adequately addresses the identified issues. However should you require further information or clarification on any matter please do not hesitate to contact me.

Yours sincerely



Dalglish Associates Ltd

100/RJHB/LF

3rd March 2005

Alastair Hamilton
Fife Council
Planning Department
County Buildings
St Catherine Street
Cupar
KY15 4TA

0

brunton
DESIGNSTUDIO
CHARTERED ARCHITECTS
95 Dundee Street • Carnoustie • DD7 7EW
Tel: 01241 858153 • Fax: 01241 858154
email: architects@bruntondesignstudio.co.uk
www.bruntondesignstudio.co.uk

To: AHKS

07 MAR 2005

29/03/05

Mr Hamilton

Ennstone Thistle Ltd – New Quarry Road Balmullo

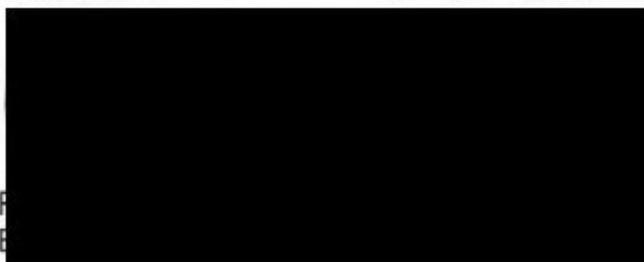
I write on behalf of my client Mr Angus Thompson, 1 Smithy Lane, Balmullo, who is a neighbour adjoining the proposed road. We consider he is a notifiable neighbour but to date no notice has been received. I understand the application has been lodged but not registered. Is it the applicant's intension to advertise rather than notify individually?

Irrespective of that, my client would like to object to the proposed road on the grounds of: -

- Loss of amenity from noise.
- Potential creation of a windfall site for housing, which would further erode the amenity of his property.

We suggest that the road line be adjusted to take access further north, further away from the existing houses and on a straighter stretch of road, giving better sight lines.

Please take note of the foregoing in considering the application.



CC Client



Rodger Brunton DipArch RIBA FRIAS MaPS
Allan Mudie BSc BArch(Hons) RIBA RIAS

Mr J & Mrs J Wilson
5 Smithy Road
Balmullo
St Andrews
Fife
KY16 0BG

Alastair Hamilton
Fife Council Planning Department
County Buildings
St Catherine St
Cupar KY15 4TA

| | | | |
|----------------|----------|----------------------|-------------|
| DEVELOPER | AM/KS | FOCAL POINT/RESPONSE | OBSC/CL/ESV |
| Monitor | YES/NO | RESPONSE | days |
| Consult | 29/03/05 | | |
| Note | | | |
| File Reference | | | |

Sunday, 06 March 2005

Dear Sir

We understand that Ennstone Thistle has proposed a new road from the quarry at Balmullo.

We vehemently object to this proposal on the grounds that :-

- 1 Loss of amenity from a substantial increase in noise and dust pollution
- 2 Potential creation of a windfall site for housing which would further greatly erode the amenity of this property

We suggest that the road be realigned to take the access further north, away from the the existing houses and a safer, straighter stretch of road giving increasing safety and better sight lines.

We ask you to take note of the foregoing in considering the application.

Yours faithfully

Janet M Wilson (Mrs)

Mr J & Mrs J Wilson



| | |
|--------------------------------------|--------------------------------------|
| FIFE COUNCIL DEVELOPMENT SERVICES | |
| To: <u>AM/RS</u> | FUR/ALTY WIREPLY/INFO UES/CTE/ISV |
| Monitor YES <u>10 MAR 2005</u> | RESPONSE days |
| Consult <u>29/03/05</u> | |
| Note | |
| File Reference | |

Mr & Mrs D Wilson
 9 Smithy Road
 Balmullo
 St Andrews
 Fife
 KY16 0BG

Alastair Hamilton
 Fife Council Planning Department
 County Buildings
 St Catherine St
 Cupar KY15 4TA

Saturday, 05 March 2005

Dear Sir

We understand that Ennstone Thistle has proposed a new road from the quarry at Balmullo.

We regard ourselves as notifiable neighbours but, to date, no notification has been received, nor have we seen any advertisements.

We vehemently object to this proposal on the grounds that :-

- 1 Loss of amenity from a substantial increase in noise and dust pollution
- 2 Potential creation of a windfall site for housing which would further greatly erode the amenity of this property

We suggest that the road be realigned to take the access further north, away from the the existing houses and a safer, straighter stretch of road giving increasing safety and better sight lines.

We ask you to take note of the foregoing in considering the application.



Mr & Mrs Wilson

0

| FIFE COUNCIL DEVELOPMENT SERVICES | |
|--------------------------------------|--|
| To: AH/KS | For/ACTION/REPLY/INFORM/ADVISE/OBSIG/TEE/ISV |
| Monitor | RESPONSE |
| Rec'd | 22 MAR 2005 |
| days | |
| Consult | 29/03/05 |
| Note | |
| File Reference | |

Mr & Mrs Forrester
2 Clay Road
Balmullo
St Andrews
Fife
KY16 **ØAG**

Alastair Hamilton
Fife Council Planning Department
County Buildings
St Catherine St
Cupar KY15 4TA

Tuesday, 15 March 2005

Dear Sir

Re:- new road from the quarry at Balmullo.

We strongly object to this proposal on the grounds that :-

- 1 There would be a loss of amenity from a substantial increase in noise and dust pollution
- 2 Potential creation of a windfall site for housing which would further greatly erode the amenity of this property
- 3 The road would cut right through the "Grizzly path" right of way that me, my children and many others enjoy daily and the presence of lorries crossing the right of way increases the danger to children and old people who also use the path daily. Although a pair of "kissing gates" are to be employed where the lorries pass, I do not feel this to be adequate protection.

We suggest that the road be realigned to take the access further north, away from the the existing houses and a safer, straighter stretch of road giving increasing safety and better sight lines.

Please take note of the foregoing objections in considering the application.

Yours faithfully

Mr C & Mrs S Forrester



0

05/00835/EEIA

Mr & Mrs Macgregor
2 Smithy Lane
Balmullo
St Andrews
Fife
KY16 0FG

Alastair Hamilton
Fife Council Planning Department
County Buildings
St Catherine St
Cupar KY15 4TA

KS

DEVELOPMENT

To: 22/3/05

Month: 15 MAR 2005

YES

Consult: _____

Note: _____

File Reference: _____

W.

Saturday, 12th 05 March 2005

Dear Sir

We understand that Ennstone Thistle has proposed a new road from the quarry at Balmullo.

We regard ourselves as notifiable neighbours but, to date, no notification has been received, nor have we seen any advertisements.

We vehemently object to this proposal on the grounds that :-

- 1 Loss of amenity from a substantial increase in noise and dust pollution
- 2 Potential creation of a windfall site for housing which would further greatly erode the amenity of this property

We suggest that the road be realigned to take the access further north, away from the the existing houses and a safer, straighter stretch of road giving increasing safety and better sight lines.

We ask you to take note of the foregoing in considering the application.

[Redacted signature area]

Mr & Mrs Macgregor

0

**Causamul
4 McWalters Fields
Balmullo
St. Andrews
Fife
KY16 0FH**



9 March 2005

Mr. A. Hamilton
Fife Council Planning Department
County Buildings
St. Catherine Street
Cupar
KY15 4TA

| |
|--------------------|
| DEVELOPER |
| To: AM/KS |
| Met: 10 MAR 2005 |
| YE: 29/03/05 |
| Consult: 29/03/05 |
| Note: |
| File Refers: |

Dear Mr. Hamilton,

Quarry Road, Balmullo

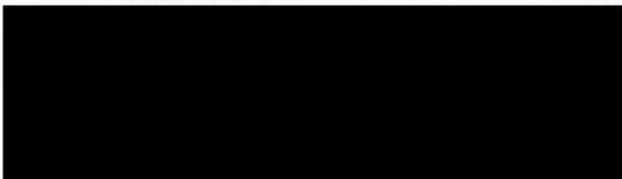
My wife and I understand that Ennstone Thistle have proposed a new road from the quarry at Balmullo to meet the A914 outwith the village. Whilst we agree in principle with the proposal, we strongly object to the projected line of the road on the following grounds.

1. Loss of amenity from a substantial increase in noise and dust pollution.
2. Potential creation of a windfall site for housing which would further erode the amenity of this property.

We would suggest that the road be realigned to take the access further north, away from the existing houses to a safer and straighter stretch of road which would improve safety and give better sight lines.

We ask you to note the above when considering the application.

Yours faithfully,



0

Mr & Mrs Paterson
3 Smithy Lane
Balmullo
St Andrews
Fife
KY16 0FG

Alastair Hamilton
Fife Council Planning Department
County Buildings
St Catherine St
Cupar KY15 4TA

| |
|------------------|
| DEV |
| To: AH/KS |
| Message |
| YE 10 MAR 2005 |
| Consult 29/03/05 |
| Note |
| File Ref |

Saturday, 05 March 2005

Dear Sir

We understand that Ennstone Thistle has proposed a new road from the quarry at Balmullo.

We regard ourselves as notifiable neighbours but, to date, no notification has been received, nor have we seen any advertisements.

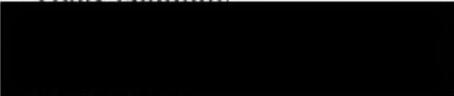
We vehemently object to this proposal on the grounds that :-

- 1 Loss of amenity from a substantial increase in noise and dust pollution
- 2 Potential creation of a windfall site for housing which would further greatly erode the amenity of this property

We suggest that the road be realigned to take the access further north, away from the the existing houses and a safer, straighter stretch of road giving increasing safety and better sight lines.

We ask you to take note of the foregoing in considering the application.

Yours faithfully



Mr & Mrs Paterson

APPENDIX A

C.3 UPLAND FOOTHILLS

See Figure 6 (page 177) and Figures 14 and 15 (sheets 1-5) at the back of the report.

Key Characteristics and Features of the Upland Foothills:

- highly conspicuous, the Foothills (often with the Upland Slopes), define the edge of other landscape types and the extent of views across the lowlands;
- the natural slopes of the physical landform which are gentler and less pronounced than the Upland Slopes but usually steeper and higher than the lowland hills;
- the evidence of active natural systems and processes e.g. weathering and erosion;
 - distinctive backdrops to other landscape types;
 - the burns, often in gullies or folds or narrow glens;
 - woodlands, steadings and other buildings well related to landform;
 - the lack of settlements but the general abundance of farmsteadings;
 - the presence of point features, providing each area with its own identity;
- the combination of steep sided, rugged, open landform and land cover on the upper Foothills, and the shallower, smoother, more vegetated or developed landform lower down;
- medium to large-scale, open, simple, sloping, curved, quiet and balanced landscapes with smooth or varied textures and muted colours;
- some extensive views across other landscape types.

Distribution

Eleven local landscape units in Fife, comprising the foothills of the Ochils at Newport (UF11), Craigie Hill (UF12), Gauldry (UF13), Lucklaw Hill (UF14), Brunton (UF15), Moonzie (UF16), Kilmaron (UF17), Letham (UF18), and Black Hill (UF19), the Lomond Foothills (UF20) and the Cleish Foothills (UF21).

Natural Systems and Processes

Large but lower hills or extensive hill ranges covered with boulder clay and brown drift soils or with bedrock at or near the surface. Mainly of volcanic origin they extend the Ochils across northern Fife and rise above the lowlands between the Cleish and Lomond Hills and the Lowland Hills and Valleys. The hard underlying bedrocks are relatively resistant to weathering but the effects of wind and water erosion are evident especially on the thin soils and exposed outcrops on the upper slopes and tops. The hills are drained by a series of small, often fast flowing burns that run in shallow channels down the steep slopes. The Ochil Foothills in particular contain many dry valleys which were glacial meltwater channels.

Description

Physical Characteristics

- C.3.1 These hills comprise three hill masses which are physically lower than the related Uplands and which do not exhibit the same degree of elevation, exposure, openness or other characteristics of the Uplands but, nevertheless, form important lower ranges of distinctive hills. The Ochils extend across northern Fife, to Tayport, but they are generally lower than in Tayside. Thus, UP1 is the only true upland part of the Ochils in Fife and the rest of the range is classed as Upland Foothills (UF11 to UF19) to recognise the physical differences and the variations in land cover and land use.
- C.3.2 Similarly, both the Lomond Hills and Cleish Hills have areas characteristic of high, substantial Foothills rather than exposed Uplands, and these are identified as landscape units UF20 and UF21 respectively.
- C.3.3 Typical of the Ochil Foothills are the Logie Hills at Lucklaw (UF14) which comprise a series of bedrock outcrops with distinctive peaks at either end, namely Lucklaw Hill rising to 190m AOD in the north, to Craigfoodie Hill rising to 169m AOD to the south. There is also a smaller peak, Airdit Hill, rising to around 150m AOD towards the centre of the hill mass. Lucklaw Hill is steeply sided and well wooded on its north facing side, falling to approximately 45m AOD after having peaked slightly to 140m AOD at Straiton Hill. Airdit Hill is shallower, ranging from approximately 130m AOD to 150m AOD on its north side but steeper on its southern side, ranging from 55m AOD up to its peak. It too is characterised by a densely wooded peak. At the southern end of this hill mass, Craigfoodie Hill is also much steeper on its southern side as it falls beyond Craigfoodie to the Moonzie Burn.
- C.3.4 This pattern of a very varied range of distinctive hills, separated by rivers, burns and glacial meltwater channels and with open or wooded peaks and a complex landform and land cover is typical of the Ochil foothills. Some of the Foothills are quite rugged, especially on the western and northern slopes, with rocky outcrops and rough grazing. Other hills are more rounded with extensive tree cover.
- C.3.5 The Cleish foothills (UF21) are a complicated series of peaks, ridges and valleys covering an extensive area between the lowlands and Uplands. They comprise generally gradually sloping hillsides, from around 150m AOD but rising occasionally very steeply to up to 245m. Numerous burns flow in a westerly direction in the lower-lying valleys between the hills, towards the Bluther Burn. There is also a series of reservoirs and small lochs. Distinctive breaks of slope contrast with more undulating areas in between, giving a varied landform, which is predominantly open and exposed with the exception of Carnock Moor Forest. Other lower-lying areas have been planted alongside the burns.
- C.3.6 The strong physical mass and height of the Foothills and their rise above the adjoining lowland landscapes makes them very conspicuous, often, with the Upland Slopes, defining the edge of other landscape types and the extent of views across the lowlands. The natural slopes of the physical landform are gentler and less pronounced than the Upland Slopes but usually steeper and higher than the lowland hills. There is evidence of active natural systems and processes e.g. weathering and erosion. The burns, often in gullies or folds or narrow glens are important but not necessarily conspicuous features. There is evidence of former natural processes in the many glacial meltwater channels cut by the retreating glaciers. The Foothills form distinctive backdrops to other landscape types.

Land Cover

- C.3.7 Woodlands are frequent in the Foothills and the large majority are well related to landform. The combination of steep sided, rugged, open landform and land cover on the upper Foothills, and the shallower, smoother, more vegetated or developed landform lower down is distinctive.
- C.3.8 Again, typically, the land cover in UF14 (Lucklaw) reflects the varied and irregular pattern of the Ochil Foothills generally, with bare or wooded hilltops; relatively open upper slopes dominated by grasslands with pockets of semi-natural vegetation; extensive improved and semi-improved grasslands and some arable on the middle slopes; and a mixture of arable and improved pasture on the lower slopes of the Foothills. At Lucklaw, the majority of land cover on the more easterly hill masses comprises fields in arable use, with hedgerows and hedgerow trees, stone dykes and fences. The extreme peak of Lucklaw Hill in the Logie Hills comprises open, rough grassland, but this is overshadowed by an extensive area of mixed deciduous woodland and coniferous plantations on the steep north facing slopes. In contrast, the extreme peak of Airdit Hill is conspicuous owing to its mixed woodland. Craigfoodie Hill, at the southern extremity of the Logie Hills, is more rugged and exposed over a larger area, with rough grassland and scrub, and some deciduous planting down the south facing slope.
- C.3.9 At several locations in the Foothills new woodland, quite extensive in places, has been planted under the Forestry Commission's WGS on the north and west facing slopes.
- C.3.10 As elsewhere in the Foothills, land cover within the highest parts of the Cleish foothills are exposed with thin, poor soils being constantly and actively weathered. Carnock Moor woodland is a distinctive hillside feature in the Foothills, being a softwood plantation. By contrast, other hillside and burnside trees are deciduous, broadleaved areas, although there have been several plantation schemes undertaken. Other land use comprises a mix of pasture grassland and rough grazing on the steeper areas, with arable production on the more shallow slopes.
- C.3.11 Geometric, regularly shaped roadside planting belts are common amongst the Foothills. Mostly they are poorly related to landform and would benefit from additional planting to improve both their structure and shape.
- C.3.12 The Foothills contain many examples of designed landscapes and, in parts, reflect the distinctive land management of the private estates with extensive landholdings.
- Settlement Pattern and Other Land Use**
- C.3.13 There is a general lack of settlements in the Foothills, with occasional small villages in sheltered dips and shallow valleys but there is a general abundance of farmsteadings, cottages and, quite frequently, large houses. The steadings and other buildings and the few villages are well related to landform. The steadings vary from relatively small, traditional farms to large estate farms with substantial new agricultural buildings.
- C.3.14 For example, the three highest areas of the Logie Hills are devoid of any properties, although there are isolated farms and cottages scattered on the slopes close by. There are large houses such as Logie House, Hayston, Park Knowe, Pitculla and Pittormie. There are quarries at Lucklaw Hill (active, large and extremely visible and intrusive) and Craigfoodie Hill (disused), and a restored castle and dovecot at Pitcullo.

C.3.15 Within the Cleish Foothills, Steelend lies at the change from the Upland Slopes to the Foothills, and there are numerous isolated steadings, often at the ends of tracks off the A and B roads or minor roads running throughout the area. A former depot, now comprising several small commercial units, lies on flat ground either side of a small burn and is generally well screened by dense vegetation on slopes above the burn.

Linear and Point Features

C.3.16 The presence of many point features provides each area with its own identity. The features include distinctive peaks, rocky outcrops, woodlands, large houses, steadings, isolated cottages, historic buildings and artefacts and even single trees.

Characteristics of the Landscape Experience

C.3.17 The Foothills, typically, are medium to large-scale, open, simple, sloping, curved, quiet and balanced landscapes with smooth or varied textures and muted colours. There are often extensive views across other landscape types. Some of the Foothills however, especially around Lucklaw Hill, lie on the flight path for RAF Leuchars, and consequently at times the hills are very noisy.

Pressures for Change in the Landscape

Agriculture

C.3.18 The pattern of agricultural land use is entirely compatible with, and forms an important element of the character of, the landscape. It contrasts effectively with the more fertile areas of surrounding lowlands. Changes in agricultural practice have been less marked here owing to the generally poorer conditions, and large-scale agricultural change is unlikely, even if there are significant changes in the Common Agricultural Policy (CAP). Options are restricted by the poor soils, relatively exposed and elevated nature of the landscape and grazing is likely to continue to be the main use of the upper slopes. However, if support for hill grazing was reduced there could be a consequent abandonment of the poorest areas on the tops and higher slopes. Similarly, changes in arable subsidies could trigger reversion to grazing on some of the lower slopes currently under arable cultivation.

C.3.19 The effect of such changes, if they occurred, would tend to reinforce the existing character by extending the semi-natural grasslands and other habitats on the tops and highest slopes of these hills and extending the distribution of pastures down hill with the effect of increasing the contrast between the hills and the arable lowlands around.

C.3.20 There is evidence of the neglect of many of the stone dykes on the upper slopes and some of the hedgerows on the lower slopes. Where dykes have collapsed they are only rarely repaired in traditional form, more often the temporary, lower cost solution of erecting post and wire fencing is used. This could lead to the long term loss of an important linear feature of the hills.

C.3.21 Some of the agricultural steadings have had large new or replacement buildings erected. By their very location, unless screened by shelterbelts or tree groups, the steadings and their buildings are conspicuous. The range of non-traditional building styles and materials has locally reduced the distinctiveness of the steadings and the landscape character.

-
- Forestry**
- C.3.22 Woodland makes an important contribution to this landscape, enhancing its character by, for example, reflecting the pronounced landform or emphasising patterns or linear features such as the burns. However, a number of the coniferous plantations are so large as to conceal the subtle landform. They were planted many years ago, under very different circumstances and with different, much narrower objectives than apply today. Their location, scale, poor design, even age and narrow species composition have had a significant adverse effect on the landscape character in some places. As the existing plantations reach maturity, there will be a phased programme of felling and replanting which will allow a more varied and 'natural' woodland form to be created, respecting topography and local variations in soils and drainage and with a much more varied species and age mix, and a higher proportion of open space.
- C.3.23 The low fertility of the soils on the tops and upper slopes and the suitability of their climate to tree growing means that a continued interest in new planting may be expected. Interest in planting the middle and lower slopes could also increase as changes in farming support are likely to affect long term management decisions.
- Settlements and Built Development**
- C.3.24 The elevation and exposure of the tops and upper slopes and the presence of nearby lowland settlements means that the Foothills are sparsely settled. Generally, there has been very little building in the open countryside other than that related to agriculture but isolated, sporadic or scattered development would be conspicuous and out of character with the landscape. The proximity of the area to sources of employment and the attractive nature of the hills and the views that they offer, means that pressure for single dwellings or small built developments is unlikely to disappear. However, it is unlikely that pressure for larger new built developments would occur.
- Other Forms of Development and Structures**
- C.3.25 The proximity of the Foothills to a number of centres of population means that there is an opportunity to facilitate countryside and informal recreation, thereby taking the pressure off other more sensitive areas. While some areas of public access already exist, woodlands and the higher slopes and tops with their outstanding views offer considerable potential for countryside recreation and access, subject to landowner agreements.
- C.3.26 Most minor roads remain unimproved but it is important that the small scale and rural character of these roads is retained.
- C.3.27 The elevation of the Foothills and their proximity to centres of population and major transport corridors makes them technically well suited as locations for telecommunications and other masts and aerals. Several of the hilltops are crowned with one or more masts, introducing strong vertical and industrial structures into the landscape. The masts are frequently visible over a considerable distance. It is possible that the growth of the telecommunications industry will be reflected in pressure for additional masts and aerals.
- C.3.28 The Government's commitment to the promotion of renewable energy is likely to result in more proposals for electricity generation by way of wind, water or biomass. Whilst these hills could probably only support very small hydro-electric schemes, their elevated nature and proximity to the coast and to electricity transmission infrastructure is likely to lead to pressure for the

construction of wind turbine generators, either singly, in small groups or in "windfarms".

C.3.29 Small-scale biomass electricity generators could be accommodated in the lowland areas around the Foothills and the conversion of farmland to the production of short rotation timber crops for their fuel could, if appropriately located, enhance the character of the middle and lower slopes of the hills.

Mineral Working

C.3.30 The hard volcanic and other rocks of these hills have been extracted over many years, mainly in small-scale and now disused quarries which are scattered throughout the hills. These old, disused quarries are generally well concealed because they have revegetated naturally, or they are screened by trees or their exposed rock faces have weathered over decades to blend with the colour and textures of the hills. They do not have a significant impact on the wider landscape.

C.3.31 However, some quarries are still operational and these tend to be of a very large scale. Some have been subject to partial or phased restoration but generally they are extremely conspicuous being large, elevated above the surrounding land and comprising a range of uncharacteristic industrial buildings and structures, noise and activity, spoil heaps and exposed rock faces, creating an unnatural landform and a major industrial feature in what is often otherwise largely undisturbed, characteristic countryside, e.g. at Lucklaw Hill and south of Newburgh.

C.3.32 Demand for hard rock quarry products, including crushed rock aggregates, is expected to continue in the area and this is likely to lead to proposals for large-scale new or extended quarries.

WOODFIELD, BALMULLO, FIFE KY16 OAN

25th June 2005

Mr. Alastair Hamilton,
Planner,
County Buildings,
Cupar, Fife KY15 4TA

| | |
|----------------------|--------------------------------------|
| FIFE COUNCIL 2211 | |
| DEVELOPMENT SERVICES | |
| To: <u>ESCAM</u> | For/ACTION/REPLY/INFO OBS/CTEE/SV |
| Rec'd | RESPONSE |
| Monitor | 27 JUN 2005 |
| YES/NO | --- days |
| Consult | ----- |
| Note | ----- |
| File Reference | ----- |

Dear Mr. Hamilton,

As one of the closest neighbours to the Quarry and living in a house which is specifically mentioned on several of the maps as being likely to be affected by the blasting and dust, I would like to comment on the proposed planning application.

The blasting is unnerving and sometimes frightening. They blast more frequently than is stated in the application. On occasions you can feel the house shake which must mean there is a possibility of structural damage whatever the numbers on the blast meter show. If consent is granted to lower the quarry floor by up to 15 meters and to blast much further back into the hill, what steps will be taken to ensure the named properties will be safe?

The countryside around the village of Balmullo is already overpowered by the size of the quarry, which can be seen for miles like a great scar on the landscape. If the quarry is allowed to continue for another twenty years the scar will be enormous and even more difficult to landscape.

The proposed haul road will be bulldozed down through some productive arable land, the land bordering the main road sweeps down from the hill making an attractive entrance to the village from the Dundee direction. It will also be driven across one of the villages few footpaths which was built by children in the village and won a national environmental competition. This is a very well used footpath and would be altered in character if it was cut in two by a haul road for extremely large and heavily laden vehicles.

Quarry Road is a narrow single track unadopted country lane with no footpaths. As the enclosed leaflet shows it is part of the network of footpaths supported by Scottish Natural Heritage and is also a signed part of the Kingdom Cycle route. The vehicles which use the lane to the Quarry are absolutely enormous and do not even fit into the passing places any more. They are far bigger and heavier than ever and are totally out of place on such a lane. The verges have been decimated by the traffic to such an extent that pedestrians, cyclists and other road users have nowhere to get off the road safely. This is at its worst between the Tetra mast and the Quarry. I have enclosed photos taken of this section of the road.

The Enforcement Notice which is at present served on the Quarry is obviously not being adhered to, neither are the Quarry working to the closure which was the object of the Enforcement Notice. In fact I would suggest that the Quarry is definitely working on the assumption that planning will be granted, as more and more of the hill behind the Quarry is being cleared and mature trees on the perimeter of the Quarry have died, presumably because their roots have been undercut. I wonder whether any check is being kept on the work currently being done?

The reasons why the previous application was refused (copy of which enclosed) still stand. If the Enforcement Notice was upheld not only would there be a much safer environment for all the village but the need for a haul road would be unnecessary.

Please consider these comments carefully as you are ultimately responsible for the environment, the landscape and the residents, particularly Lucklawhill and I hope you will give weight to our worries and concerns. approving this application would do nothing to enhance this lovely part of Fife or the lives of the people living there. Thank you.

Yours sincerely



Zoe Sanders

Mr. and Mrs. S.P. Sanders,
Woodfield,
Balmullo,
ST. ANDREWS,
Fife. KY16 0AN

DIRECT LINE - 01502 416227 (Bill Welsh)

Your Ref:

Our Ref: WW/GN/ED/4/1.4

23rd April, 1998.

Dear Sir and Madam,

**Regularisation of Unauthorised Extraction and Extension to Quarry at Balmullo
Quarry, Quarry Road, Balmullo**

I refer to the representation you submitted to the Council in relation to the above mentioned planning application.

I am now writing to inform you that your representation was considered at a special meeting of the Council's Strategic Development Committee held on 17th February, 1998 when it was agreed that the planning application be refused for the attached reasons.

I can confirm that the above decision was approved by the Council at a meeting held on 2nd April, 1998.

Yours faithfully,



Committee Administrator (Mr. W. Welsh.)

Enc.

GN220408

BALMULLO

Reasons:

1. In the interests of residential amenity; the proposed development would perpetuate an unacceptable level of heavy goods traffic passing through residential areas in close proximity to a school in Balmullo to their detriment in terms of noise and disturbance generally.
2. In the interests of road and pedestrian safety; the proposed development would perpetuate an unacceptable level of heavy goods traffic using (a) a private road, well below the necessary standard in terms of width, construction, verge construction and (b) public roads through residential areas with poor footway provision and in close proximity to a school in Balmullo, resulting in an unacceptable potential conflict with other road users and pedestrians with a resultant danger to road and pedestrian safety.
3. The proposed quarry extension would be contrary to the provision of the North East Fife District Minerals Subject Local Plan, Policies G2(e) and G8(b) in that the volume frequency and routing of traffic generated by the proposal is likely to have a significant adverse impact on the settlement of Balmullo.
4. The proposed quarry extension would be contrary to the provision of the Fife Structure Plan, Policies ED19(e) which has a presumption against mineral workings which adversely affect settlements and rural communities and ED20(6) which has to consider the likely impact of traffic generated by the site on the local road system. The proposals are also contrary to ED19 and ED20 in respect of landscape impact.
5. The proposals are not required to satisfy the need to provide a 10 year landbank for crushed rock aggregates as outlined in the Council's Strategy for Crushed Rock Aggregate.
6. In the interests of visual amenity; the proposals would perpetuate significant visual disamenity and postpone any visual restoration of the site and stockpile area.



**SCOTTISH
NATURAL
HERITAGE**



Know the
code before
you go...

Enjoy
Scotland's
outdoors...

Responsibly!

Scottish Outdoor Access Code

Everyone has the right to be on most land and water providing they act responsibly. Your access rights and responsibilities are explained fully in the Scottish Outdoor Access Code.

Whether you're outdoors or managing the outdoors, the key things are to:

- Take responsibility for your own actions
- Respect the interests of other people
- Take care for the environment

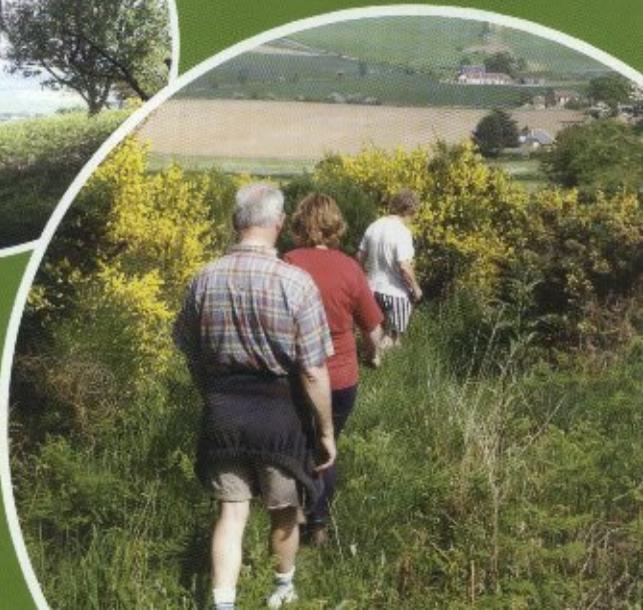
Find out more by visiting www.outdoor-access-scotland.com or phoning Scottish Natural Heritage on 01334 654038

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This leaflet has been produced in partnership between the local community and land managers. Prepared by the Paths Group of Balmullo Community Council. Photos by Ian Smith. Designed by Fife Council Development Services 3/05.



Supported by



Suggested Walks Around
Balmullo

All four walks start at Burnside Hall. The variety of paths around the hill, allow many different permutations. Enjoy your walks!

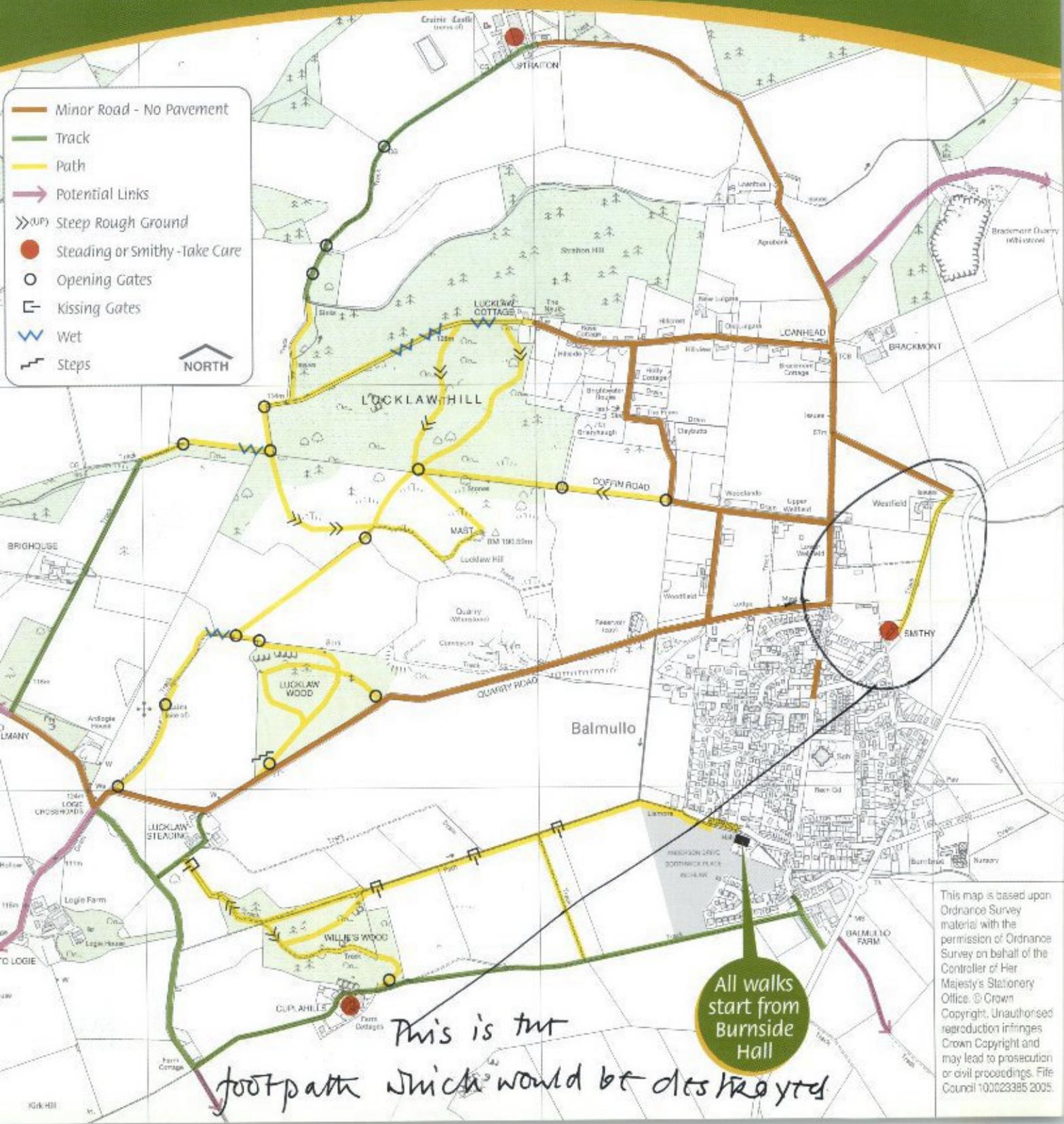


1 Along Burnside, through Willie's Wood, down the Cuplahills track towards Balmullo Farm, through the new houses back to the Hall. 3km (2 miles).

2 As (1) to Willie's Wood then up the hill towards Lucklaw Steading. Left then right to Logie crossroads. Cross road, go right along Quarry Road for 50yds/m then through gate. Along wall in direction of radio mast. Through gate, follow north side of wall and then track, through gate (may be very muddy), and up Lucklaw Hill. Through gate onto hill. Follow track to radio mast. Take path north west towards wood. Through gate into woodland. Take path down to Lucklaw Cottage. Back down road to Loanhead and village. 6km (3.75 miles).

3 As (2) to crossroads. Across road towards Kilmany. Right along public path past Brighthouse. Follow track through wood. Through gate into field. Along field edge to corner of field. Continue to gate and main path through wood. Through gate. Left down path then track to Straiton. Follow road towards Brackmont and back to village. 7km (4.5 mls).

4 Up School Road and Quarry Road to Lucklaw Wood. Through gate and wood to gate in wall, up field to gate onto hill, either up to mast or across hill to gate, sharp right through wood to Coffin Road. Down field edge and roads to village. 5km (3miles).

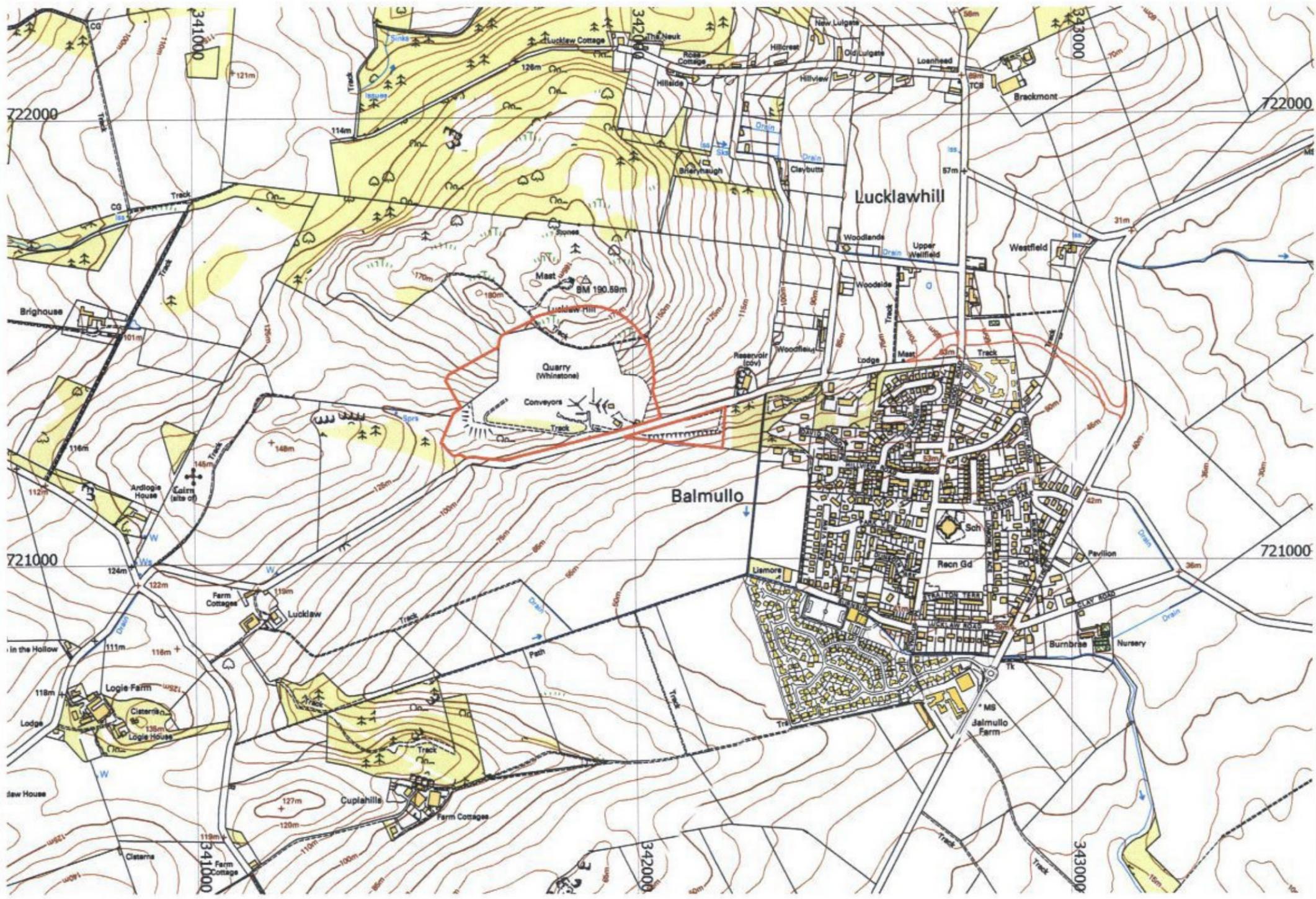


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All walks start from Burnside Hall

This is the footpath which would be destroyed





LEGEND
 Proposed Site Boundary Including
 New Access Road Boundary



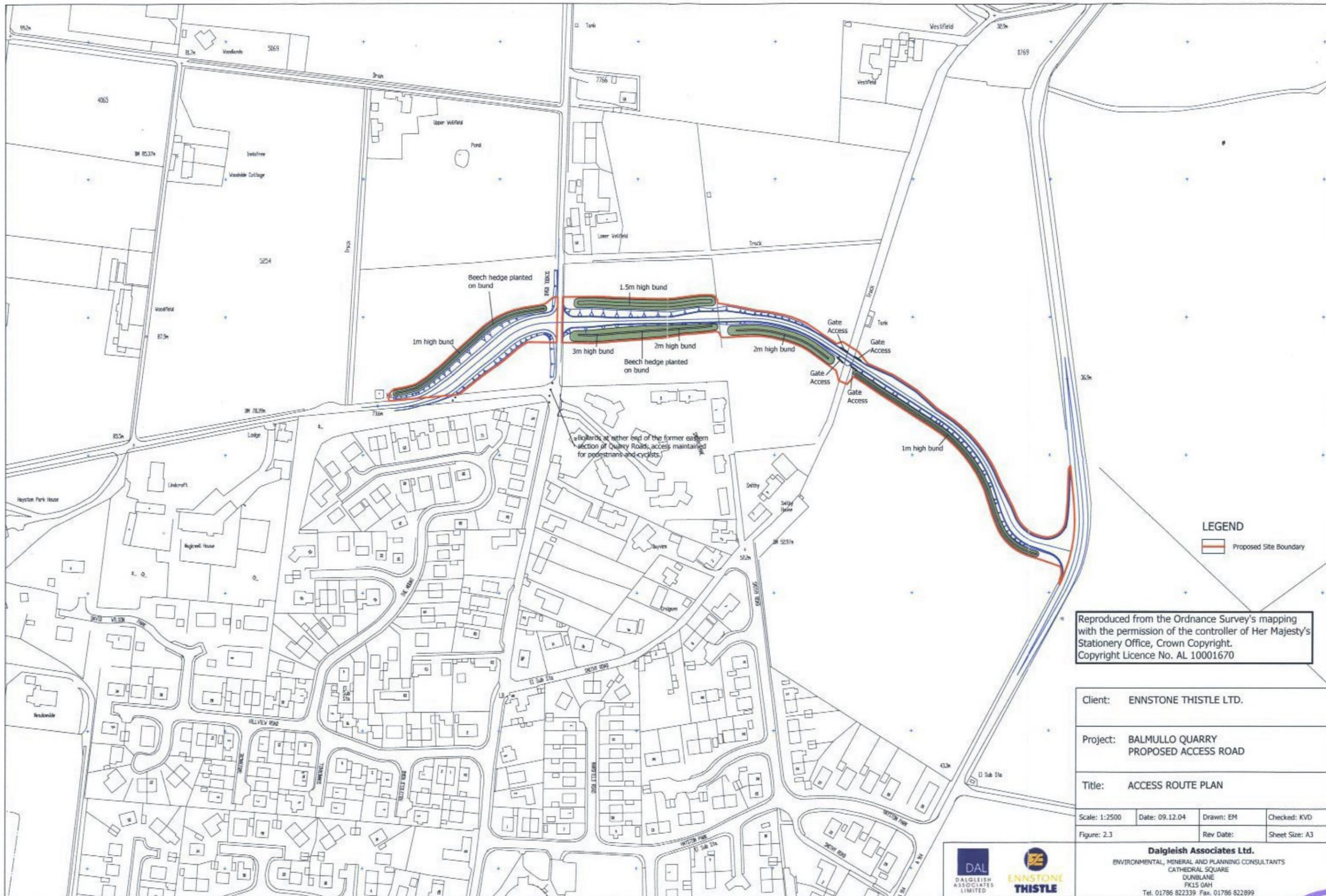
Client: ENNSTONE THISTLE LTD.
 Project: BALMULLO QUARRY PROPOSED EXTENSION
 Title: SITE LOCATION PLAN

| | | | |
|--------------------|-------------------|----------------|-----------------|
| Scale: 1:10,000 | Date: 06.12.04 | Drawn: JHRW | Checked: KVD |
|--------------------|-------------------|----------------|-----------------|

| | |
|-------------|----------------|
| Figure: 2.2 | Revision Date: |
|-------------|----------------|

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Dalglish Associates Ltd
 ENVIRONMENTAL, MINERAL AND PLANNING CONSULTANTS
 CATHEDRAL SQUARE
 DUNBLANE FK15 0AH
 Tel: 01786 822339 Fax: 01786 822899



LEGEND
 Proposed Site Boundary

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| | | | |
|--|----------------|-----------|----------------|
| Client: ENNSTONE THISTLE LTD. | | | |
| Project: BALMULLO QUARRY PROPOSED ACCESS ROAD | | | |
| Title: ACCESS ROUTE PLAN | | | |
| Scale: 1:2500 | Date: 09.12.04 | Drawn: EM | Checked: KVD |
| Figure: 2.3 | | Rev Date: | Sheet Size: A3 |
| Dalgleish Associates Ltd. ENVIRONMENTAL, MINERAL AND PLANNING CONSULTANTS CATHEDRAL SQUARE DUNBLANE FK15 0AH Tel. 01786 822339 Fax. 01786 822899 | | | |



3

DEVELOPMENT SERVICES

Dalglish Associates Ltd
Cathedral Square
Dunblane
FK15 0AH

Direct Line: Alastair Hamilton
08451 55 55 55 ext 4505
Email: alastair.hamilton@fife.gov.uk

Your Ref: WB/ET/BAL/13

Our Ref: 05/00835/EEIA

Date: 8th August 2008

Dear Sir/Madam

APPLICATION NO.: 05/00835/EEIA
PROPOSAL: EXTENSION TO BALMULLO QUARRY AND CONSTRUCT
NEW ACCESS ROUTE
ADDRESS: BALMULLO QUARRY LUCKLAW QUARRY ROAD
BALMULLO

I have pleasure in enclosing a copy of Fife Council's approval of your application for Environmental Impact Assessment. You are advised to carefully read any conditions and notes attached and to contact me if there are any issues on which you are unclear or require further explanation.

This decision notice is an important document and should be kept safe for future reference.

Yours faithfully,

[Redacted Signature]
Alastair Hamilton
Team Leader
Development Promotion & Design

Enc.

PLANNING DECISION NOTICE



Fife Council, in exercise of its powers under the Town and Country Planning (Scotland) Act 1997 **GRANTS PLANNING PERMISSION** for the particulars specified below.

APPLICATION REFERENCE: 05/00835/EEIA
PARTICULARS OF DEVELOPMENT: Extension to Balmullo Quarry and construct new access route
SITE LOCATION: Balmullo Quarry Lucklaw Quarry Road
Balmullo

As shown on the plans approved relative to this application.

This permission is granted subject to the following condition(s):-

General

1. Except with reference to the conditions noted below the operational and mitigation measures including extraction, access, landscaping, restoration, hydrology, phasing of excavation works etc shall be fully implemented in accordance with the measures specified in the Environmental Statement and plans accompanying this consent.

Residential Amenity

2. The hours of operation of plant and equipment associated with the extraction, processing and transport of hard rock shall be restricted to Monday to Friday 7.30 to 17.00 and 8.00 to 12.00 hours on a Saturday.
3. With the undernoted exceptions noise levels generated by normal mineral extraction operations shall at no time, exceed:
 - a. 45dB(LAeq) 1 hour (freefield) or
 - b. 10dB(A) above the measured background level (whichever is the greater) at any noise sensitive premises
4. Where drilling is being carried out in unison with other normal mineral extraction operations the following noise levels shall not be exceeded

Woodfield Phase 1 48dB LAeq 1hour
Phase 2 48dB LAeq 1hour

Please note that you are legally obliged to comply with these conditions.

Dated:10th July 2008

[Redacted Signature]
For Head of Development Services
Fife Council

Hayston Park Phase 1 50dB LAeq 1hour
Phase 2 50 db LAeq 1 hour

North End of Phase 1 51dB LAeq 1hour
Pitcairn Drive Phase 2 51dB LAeq 1hour
Phase 3 51dB LAeq 1hour

Noise from any plant or machinery associated with normal mineral extraction operations shall be controlled such that it does not exceed 65dB LAeq 1hour at the boundary of Lucklaw Woods.

Drilling operations shall be carried out on no more than 30 days in any calendar year.

5. Soil movement and placement operations and the formation of soil mounds shall be carried out for no more than 8 weeks in any one year. During periods when this work is being carried out, noise from any other plan and machinery shall be controlled such that it does not exceed 70 dB LAeq 1hour (freefield) at any adjacent noise sensitive premises and 65 LAeq 1 hour at the boundary of Lucklaw Woods.
6. The number of drilling days shall be included within the 8 weeks allowable for temporary works in any one year.
7. The noise from quarry vehicles using the new haul route shall not exceed 45dB LAeq 1 hour when measured at any existing sensitive property.
8. White noise reversing systems shall be used on all vehicles operating at the site.
9. All vehicles maintained and operated to comply with manufacturers specifications and shall be fitted with effective silencers.
10. Maximum ground vibration for blasting at any nearby vibration sensitive property shall be of peak particle velocity of 6mm/sec in 95% confidence level of any consecutive block of 20 blasts with no individual blast exceeding a peak particle velocity of 10mm/sec.

The maximum ground vibration for blasting at the water reservoir and the hill top telecommunications mast shall be of peak particle velocity of 50mm/sec at 95% confidence level. The records should be kept for inspection if required.

11. Blasting shall only be carried out between the hours of 10.00-12.00 and 14.00 - 16.00 Monday to Friday.
12. A scheme for monitoring blasting including the location of monitoring points and equipment to be used shall be submitted to the council. The scheme shall be agreed by fife Council as Planning Authority prior to commencement of the blasting activities. Records should be kept of all blast noise monitoring together

Please note that you are legally obliged to comply with these conditions.

Dated: 10th July 2008


For Head of Development Services
Fife Council

with any complaints which may be received. The records should be kept readily available for inspection if required.

13. A notice shall be supplied to the council in the form of a facsimile message to an agreed officer giving at least 48 hours advance warning of the dates and times of blasting throughout the lifetime of the quarry unless otherwise agreed in writing with Development Services. Site notices shall be displayed in positions and times to be agreed with Development Services giving warning to the public of blasting times.
14. The best industry guidance shall be adopted to reduce the effects of air over pressure on any noise sensitive building or structures.
15. Dust control measures shall be operated in accordance with the provisions of the submitted Dust Assessment.

The operator shall carry out a visual assessment of dust emissions on a daily basis. Details of all visual assessments shall be recorded in a log book kept on site which will include date, time and wind direction, observations and identification of observer. If extreme adverse conditions are experienced the operator shall temporarily cease all dust causing activities that give rise to concern.

16. A dust monitoring scheme shall be submitted to Fife Council. The dust monitoring scheme shall be agreed in writing by Fife Council and implemented prior to the commencement of the proposed quarry extension works.
17. Records should be kept of all air quality monitoring together with any complaints which may be received. The records should be kept readily available for inspection of required.

Road Safety

18. Exact details of the means to prevent the use of the haul road as a public road way between the A914 and School Road shall be submitted for the prior written approval of Fife Council as Planning Authority prior to the commissioning of the new access road.
19. The proposed access road shall be constructed and commissioned prior to the commencement of works to extend the quarry.
20. BEFORE THE ACCESS IS BROUGHT INTO USE, visibility splays of 6 metres by 210 metres shall be provided in both directions at the junction of the new access with the existing road on the stamped approved plan. Thereafter these shall be permanently maintained free from any obstructions exceeding a height of one metre above the adjacent road channel levels.
21. BEFORE THE DEVELOPMENT IS OCCUPIED, all works on or adjacent to existing public roads shall be designed and constructed to the current Fife Council Specification for Roadworks.

Please note that you are legally obliged to comply with these conditions.

Dated:10th July 2008


For Head of Development Services
Fife Council

22. BEFORE THE DEVELOPMENT IS OCCUPIED, all existing accesses, made redundant by the approved development (marked purple) on the stamped approved plan), shall be permanently closed off.
23. The extraction and exportation of material from the site shall not exceed 150,000 tonnes per annum, unless otherwise agreed in writing with Fife Council as Planning Authority. Any written request to vary the terms of this condition shall be accompanied by a detailed breakdown of the additional extraction/exportation tonnage and details of the additional number and timings of vehicle trips generated. Fife Council as Planning Authority reserves the right to request an application for planning permission to vary the terms of this consent should it be deemed appropriate to do so.

Visual Amenity

24. Exact detail including variety of species and planting densities for the proposed landscaped bunds shall be submitted for the prior written approval of Fife Council as Planning Authority before works commence on the construction of the proposed access road.
25. Detailed scale plans of the excavation and restoration proposals at key phases of the project implementation, shall be submitted for the prior written approval of Fife Council as Planning Authority. Detailed written specifications of the phased restoration should be produced and agreed in writing with Fife Council. Such specifications should include:
 - a) written statement of intended outcome for restoration in each key area
 - b) description of specific techniques for the preparation of existing rock faces and other surfaces
 - c) description of ground preparation techniques
 - d) description of planting and/or seeding specification including plant or seed origin
 - e) detailed timetable for implementing the restoration works showing key phases of the restoration proposal and key restoration targets/ outcomes.

Ecology

26. No work or other operations affecting fulmar and peregrine falcon nesting areas shall be undertaken during the period from March to September. Exact details of the designated nesting sites and protection areas shall be submitted for the prior written approval of Fife Council as Planning Authority.

Reason(s):

1. To ensure that the development is carried out in accordance with the approved plans unless otherwise agreed.
2. In order to protect the amenity of adjoining and nearby residents.

Please note that you are legally obliged to comply with these conditions.

Dated: 10th July 2008


Fife Council

- 3-14. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.
- 15 -17. In the interests of safeguarding the amenity of adjoining and nearby residents.
- 18-19. In the interests of road safety. To ensure an acceptable access location in relation to the existing road system.
20. In the interests of road safety; to ensure the provision of adequate visibility at the junction of the vehicular crossing to the site and the public road.
21. In the interests of road safety; to ensure that the development is to a standard which does not adversely affect the public road.
22. In the interests of road safety; the retention of the existing redundant access points would result in an excessive number of access points generating undesirable traffic movements in close proximity to one another.
23. In the interests of road safety.
- 24-25. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.
26. In the interests of protecting and preserving the ecological heritage.

Please note that you are legally obliged to comply with these conditions.

Dated:10th July 2008


Fife Council

IMPORTANT NOTES ABOUT THIS GRANT OF PLANNING PERMISSION

IT IS YOUR RESPONSIBILITY TO SATISFY YOURSELF WITH REGARD TO THE MATTERS LISTED BELOW PRIOR TO IMPLEMENTATION OF THE WORKS WHICH ARE THE SUBJECT OF THIS CONSENT.

STANDARD CONDITION

This permission is granted subject to the standard condition that development must be begun not later than 5 years from the date of this decision notice unless a condition of this permission varies that standard timescale.

CONDITIONS OF THIS NOTICE

By this notice Fife Council, as planning authority, has approved this proposal subject to conditions which the Council consider necessary to ensure the satisfactory implementation of the proposal. **It is important that these conditions are adhered to and failure to comply with conditions may result in enforcement action being taken.**

RIGHTS OF APPEAL

If you are not satisfied with the conditions which have been imposed you may appeal to the Scottish Minister within **six months** of the date on this notice.

A notice of appeal must be lodged in writing on a form supplied by the Scottish Government and the grounds of appeal must be clearly stated. Appeal form P/PPA can be obtained by writing to:

Scottish Government Inquiry Reporters Unit

4 The Courtyard
Callendar Business Park
Callendar Road
Falkirk
FK1 1XR
Tel: 01324 696400

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

BUILDING WARRANT

This permission does not exempt you from obtaining a Building Warrant under the Building (Scotland) Acts. For further information, please contact Development Services at County Buildings, St Catherine Street, Cupar, KY15 4TA.

Please note that you are legally obliged to comply with these conditions.

Dated: 10th July 2008


For Head of Development Services
Fife Council

ROADS CONSTRUCTION CONSENT

This permission does not exempt you from obtaining a Roads Construction Consent under the Roads Scotland Act 1984. For further information please contact:

Fife Council Transportation Service
County Buildings
St Catherine Street
Cupar
KY15 4TA

DISABLED ACCESS

You are reminded that in providing premises (including university and school buildings, offices, shops, railway premises, factories and toilets) which are open to the public, you should make provision, where reasonably and practicable, for the means of access and parking to be designed to meet the needs of disabled people. This should include appropriate signposting indicating the availability of these facilities. Your attention is specifically drawn to the BSI Code of Practice on Access for the Disabled to Buildings (BS 5810:1979) which explains the manner in which appropriate provision can be made for the needs of disabled people in the design of buildings. For further information please contact the Council's Access Officer for the Disabled,

AVOIDING DANGER FROM UNDERGROUND SERVICES

Freephone Dial-Before-You-Dig, Susiephone No. 0800 800 333. If you require any more information about Susiephone then please contact Janet Gray, Susiephone Operation Centre, Washington Court, Washington Lane, Edinburgh EH11 2HA. Telephone No. 0131 539 7300.

ADVICE FROM SCOTTISH WATER

The issue of a Building Warrant or Planning Permission does not cover aspects of the works for which separate approval is required from Scottish Water (SW). As Fife Council's Planning and Building Control Service notifies SW of all applications which are approved, applicants should be aware that inspection of work which is not approved in advance by SW is often inconvenient and may result in the applicant incurring additional expense to remedy work undertaken incorrectly. The following requirements should, therefore, be adhered to:

WATER

The installation of all water pipes and fittings (which includes central heating, washing machines, dishwashers etc) requires the separate approval of SW and all such work is subject to inspection for Water Byelaws compliance. In the case of an existing installation, a customer must be given not less than five days' notice prior to commencing alterations or additions to the water fittings. Building over a water main or service, or in any way impeding access to such pipes, is not permitted. Applicants should contact SW at an early date before commencing **any** work.

DRAINAGE

The granting of a Building Warrant or Planning Permission does **not** cover the nature of discharge or the type of connection allowed to the sewer, and the applicant will require to make separate application to SW to obtain a permit to connect to the sewer (incorporating any conditions relating thereto). No alterations or additions to an existing drainage system will be permitted without the prior approval of SW. Normally, building will not be allowed over an existing sewer but, if it is unavoidable, then SW **must** be consulted. In the case of industrial development, the quality of discharge will have to conform to the requirements of the SW "Industrial Wastewater Policy", obtainable from the address below. Applicants must, therefore, contact SW in respect of any proposals, whether domestic or

Please note that you are legally obliged to comply with these conditions.

Dated: 10th July 2008

[Redacted Signature]
Fife Council