

TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1997

SECTION 75 AGREEMENT

COMMITTEE DECISION DATE: 19 September 2006

PLANNING APPLICATION DESCRIPTION AND REFERENCE:

Extension to Balnullo Quarry and construct new access road.

MATTER TO BE INCLUDED IN SECTION 75 AGREEMENT:

- * Establish A Liaison Committee
- * General land to secure retention,
- * Natural Heritage Management Plan,

REASONS FOR SECTION 75 AGREEMENT:

PARTIES TO BE INCLUDED WITHIN SECTION 75 AGREEMENT (Name(s) and Address(es):

Ernstene Thistle Ltd
Erstene House

Aife Council,

Ethieberton Quarry
Kingsme Moorfield
Argus

ACCOMPANYING PLANS OR DOCUMENTATION:

- Site Plan
- Draft Consent Notice



NORTH EAST FIFE DISTRICT COUNCIL
**DEPARTMENT OF PLANNING
 AND BUILDING CONTROL**

COUNTY BUILDINGS
 ST CATHERINE STREET
 CUPAR FIFE KY15 4TA

JAMES M BIRRELL BSc MRTPI
 Director

Telephone: 0334 53722
 Fax: 0334 54016

*B. Erinstone Trustee Ltd
 Per Dalgleish Associates Ltd
 Cathedral Square
 Dunblane
 FK15 0AN*

Your Ref:

Our Ref: *AN 05/00835/EEA*

If telephoning or calling please ask for

A. HAMILTON 27x5

Date:

Extension to Balmullo Quarry and construct new access route

Dear Sir, *Balmullo Quarry, Lochmuir, Quarry Road
 Balmullo - Section 75 Agreement*

I refer to your application for the above noted proposal.

It has been decided to grant conditional approval of this application subject to a Section 75 Agreement relating to *the following issues* you in the near future regarding the drafting of this Section 75 Agreement. I have enclosed for your information a draft copy of the consent notice which cannot be issued until the Section 75 Agreement is finalised and signed.

If you require further information please do not hesitate to contact ~~my~~ *assistant Mr. A. M.* at the above noted extension number.

A. Hamilton
 Yours faithfully

~~Director~~

Encs.

- * ~~Point 1~~ The establishment of a hearing committee
- The composition and structure, to be agreed in writing
- * Financial and other such mechanism to cover restoration should the operators cease trading prior to the implementation of the restoration scheme.
- * Natural Heritage Management

FIFE COUNCIL
LAW & ADMINISTRATION SERVICE

To: Alastair Hamilton, Team Leader, Development Services, County Buildings,
Cupar
From: June Barrie, Solicitor, Planning & Environment Team, Fife House (Main
Building), Glenrothes, Ext. 442220
Date: 11 March 2008
Our Ref: DEVS/0000663/JAB
Your Ref: 05/00835/EEIA
Subject: S75 AGREEMENT
BALMULLO QUARRY, LUCKLAW ROAD, BALMULLO
ENNSTONE THISTLE LIMITED

Enclosed is a copy letter to the applicants' solicitors chasing up the S75 Agreement.
Ennstone Thistle do not own all of the land which is being quarried and there are a number
of other landowners involved which is leading to the delay.

I will keep you advised.



Laura McKinnon
Associate
Tods Murray LLP
DX ED 58
EDINBURGH

June Barrie
08451 555555 ext. 442220
June.Barrie@fife.gov.uk

Your Ref.: SML.LMK.T0525.1057
Our Ref.: DEVS/0000663/JAB


11 March 2008

Dear Laura

**S75 AGREEMENT
BALMULLO QUARRY, LUCKLAW ROAD, BALMULLO
ENNSTONE THISTLE LIMITED**

I note from the file that it is over three months since the S75 Agreement was executed on behalf of the Council and returned to you for execution by the other parties. Can you let me know the progress made in having it executed.

Yours sincerely



June Barrie
Solicitor
Planning & Environment Team

NOTICE OF MEETING

EAST FIFE AREA DEVELOPMENT COMMITTEE

DEPARTURE FROM THE DEVELOPMENT PLAN HEARING

COUNTY HALL, COUNTY BUILDINGS, CUPAR

THURSDAY 29TH JUNE, 2006 – 6.30PM

BUSINESS

Page Nos

1. **APOLOGIES**
2. **DECLARATIONS OF INTEREST**
3. **05/00835/EEIA – EXTENSION TO BALMULLO QUARRY AND CONSTRUCT NEW ACCESS ROUTE** Report by the Head of Development Services. Representations to the applications are contained in the yellow pages (1-35) 1-11

Those persons who submitted representations and the applicant/agent will be invited to address the Hearing and to answer any questions by Members of the Committee to clarify matters raised in their presentation.

(a) Any objectors who wish to address the Hearing.

(b) Mr William Booth, Dalgleish Associates Ltd. (Agent)

H B TAIT
Head of Law and Administration

County Buildings
St Catherine Street
CUPAR
KY15 4TA
22nd June 2006

If telephoning, please ask for Beth Flynn, Committee Administrator, (01334) 412912 or email: beth.flynn@fife.gov.uk.

Further information on planning matters, including agendas, can be found at <http://www.fifedirect.org.uk/> Click on the Fife Council logo on the left of the homepage.

DEPARTURE HEARING REPORT FOR:

APPLICATION FOR ENVIRONMENTAL IMPACT ASSESSMENT REF: 05/00835/EEIA

SITE ADDRESS: BALMULLO QUARRY LUCKLAW QUARRY ROAD BALMULLO

PROPOSAL : EXTENSION TO BALMULLO QUARRY AND CONSTRUCT NEW ACCESS ROUTE

APPLICANT: ENNSTONE THISTLE LTD ENNSTONE HOUSE ETHIEBEATON QUARRY KINGENNIE

CONSULTATIONS

Transportation Services

Objection - formation of new access onto unrestricted distributor road outwith an established built up area.

Scottish Water

No objection subject to standard conditions.

Scottish Environment Protection Agency

No objection subject to appropriate monitoring of the hydrology.

Balmullo Community Council
Environmental Services-East

No comments received.

Appropriate measures to control noise and dust pollution from construction works and excavations.

Health and Safety Executive
Plans and Projects - East

No comments.

EIA adequately addresses the ecological and landscape issues associated with proposal. While regrettable to see loss of part of Lucklaw Hill Wildlife Site potential for considerable ecological benefit and landscape enhancement from restoration proposals. Provided proposal complies with other policies there is no objection to this proposal on ecological and landscape grounds subject to conditions relating to:- protection of fulmar and peregrine nesting season, defining site by a fenceline and protection of heather habitat immediately outside site boundary from disturbance from plant and machinery; use of native tree and shrub planting in restoration scheme; tree fellin gto be outwith bird breeding season; submission of detailed landscape plan together with site management plan; Location of RIGS features to be identified in landscape plan.

Scottish Natural Heritage

Objection subject to the provision of additional information relating to the restoration and recontouring of the site which could be secured by conditions or additional information. Conditions and heads of terms for a legal agreement noted.

Historic Scotland
Ministry of Defence

No objection.

No objection subject to no high level structures protruding above a maximum height of 189.5 AMSL.

Scottish Rights Of Way Access Soc
Scottish Wildlife Trust
Central/North Fife Preservation Society
Scottish Executive - Planning
Department

No comments received.

No comments received.

Support in principle.

No objections.

REPRESENTATIONS

A total of 12 objections and representations have been received on the following grounds:-

- Loss of amenity from noise
- Potential creation of windfall site from housing (in pocket of land between village and new access road)
- Dust pollution
- Proposed road realigned further north to take access away from houses to an existing safer straighter part of the main road providing increased safety and better site lines
- Impact on right of right of way (access road)
- Danger to walkers using rights of way
- Restoration works required under enforcement have not been undertaken
- No issue with extended lifespan of the quarry
- Dust/noise monitoring equipment required to be installed in sensitive properties
- Impact of blasting
- Damage to Quarry Road from large trucks serving the quarry
- Quarry not complying with enforcement notice

The comments from Transportation Services and SNH are noted above and discussed in more detail below.

STATUTORY POLICIES AND APPROVED GUIDANCE

National Guidance
SPP1 The Planning System
NPPG 4 Land for Mineral Working (Amended 2001)
NPPG 5 Archaeology and Planning

Fife Structure Plan 2002
Policy R1 Safeguarding of Mineral Resources
Policy R2 Making Mineral Extraction More Sustainable
Policy R3 Mineral Extraction
Policy R4 Construction Aggregates

Finalised Fife Structure Plan 2006
Policy M1 More sustainable Mineral extraction
Policy M2 Minerals Trust Fund
Policy M3 Construction Aggregates

Fife Minerals Subject Local Plan (2004)
Policy Min 4 Safeguarding Minerals Deposits
Policy Min 5 Minerals Applications
Policy Min 6 Provision and Maintenance of Landbank for Minerals
Policy Min 9 Economic Impact
Policy Min 15 Noise Dust Blasting and Light Nuisance
Policy Min 16 Legal Agreements
Policy Min 19 Restoration and Aftercare of site
Policy Min 20 Provision of Bond to secure restoration
Policy Min 21 Protection of Water Resources
Policy Min 23 Footpaths Cycleways and Bridle ways
Policy Min 24 Loss of Prime Quality Agricultural Land
Policy Min 25 Landscape and Countryside
Policy Min 27 Environmental and Monitoring Audits
Policy Min 29 Environmental Assessments
Policy Min 28 Standard of Operators Environmental Achievements
Policy Min 30 Annual Mineral Supply Audit

St Andrews Area Local Plan 1996
Policy E23 Mineral Extraction

PLANNING SUMMARY

1.0 Background

1.1 The purpose of this report is to advise Members of the details of this application. As the application is a potential departure from the Development Plan (Policy SS1 of the Fife Structure Plan 2002, and Policy COU 1 of the Cupar and Howe of Fife Local Plan 2003) and there are more than 10 objections, a hearing into the application is required. This report therefore describes the background and processing of the application only. My assessment of the proposal and my recommendation will be placed before a subsequent meeting of the East Area Development Committee.

1.2 The proposal is for the extension of an existing hard rock quarry to the north west of Balmullo. The application due to its scale and location close to residential properties and environmental impact has been processed under the Environmental Impact Assessment legislation.

1.3 This application relates to the extension of the existing hard rock quarry to the north west of Balmullo, adjacent to the minor road between Balmullo and Logie known as Quarry Road. Operations have continued at the site since 1925. Planning Permission was granted in 1948 to permit the development of quarry workings with a subsequent application being granted to permit storage of materials to the south of Quarry Road. The quarry operators failed to register the quarry under the terms of IDO (Interim Development Order) in 1992 the quarry was subject to a planning application (1997) which was refused in February 1998.

1.4 In February 2002 the quarry was subject to an enforcement notice which required the restoration of the stockpile area, the creation of a haul road to access the upper benches, and the development of the quarry to accommodate the splitting of the existing faces and the final restoration of the quarry by 31 October 2011. The quarry is currently operating under the terms of the enforcement notice.

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 I 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 undemoted 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 off 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

100/RJHB/LF

3rd March 2005

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

AK/S

29/03/05



brunton
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www.bruntondesignstudio.co.uk

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.



0

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

DEV
AM/KS
Meeting YES
10 MAR 2005
29/03/05
Constil
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

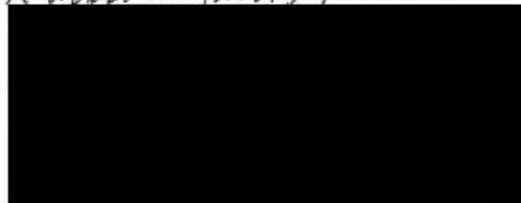
We suggest that the road be realigned to take the access further north, away from the the existing houses and a safer, straighter stretch of road giving increasing safety and better sight lines.

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

Yours faithfully

Jane Wilson (Mrs)

Mr J & Mrs J Wilson



0

DEVELOPMENT

To: **DX/KS**

Month: **10 MAR 2005**

Year: **29/03/05**

Consul: _____

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.



[Handwritten signature]

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AH/KS

22 MAR 2005

29/03/05

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 :-

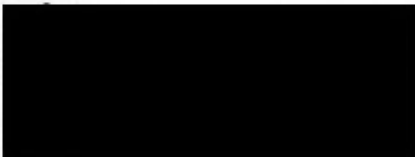
- 1 There would be a loss of amenity from a substantial increase in noise and dust pollution
- 2 Potential creation of a windfall site for housing which would further greatly erode the amenity of this property
- 3 The road would cut right through the "Grizzly path" right of way that me, my children and 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



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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

KJ

22/3/05

HT.

Saturday, ¹²05 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

[Redacted signature]

Mr & Mrs Mcgregor

Haystack Park
Quarry Road
Balmullo

File KY160AN

28/June/05.

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 Capet 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, entirely the adverse visual impact of the storage areas to the south of the road to the quarry. Mr Brian invited me to meet a further meeting with him/officers involved with the processing of a future Custom Thistle planning application to discuss relevant matters when such was received.

I have received no neighbour notifications 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 maybe 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

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

The Eustone Thistle submission makes reference to a "Life Council" "improvement 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 its works that have been undertaken in respect 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 in this area as regards its surface, surface slopes etc. As I say I would be interested in knowing of the Council's requirement in this regard - as regards its "improvement action".

The Eustone Thistle submission addresses the issue of dust/dustiness and refers to the very limited number of days which this property - Aggion 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 surface of the veranda has been necessary every 10-20 days at maximum and blowing quartz dust off parked vehicles is far/far 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 area

Whilst in no way wishing to be negative to the operations of the company and the continued employment of its workforce I would ask that consideration be given to - in the concision of any consent - the Council/and or SEPA installing monitoring equipment to independently monitor dust levels

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

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

Yours faithfully,



W. G. Taylor



Mr Alistair Hamilton
Development Services
Fife Council
County Buildings
St Catherine Street
CUPAR
Fife
KY15 4TA

FIFE COUNCIL DEVELOPMENT SERVICES	
To: <i>AM</i>	For/ACTION/REPLY/INFO OBS/CTEE/SV
Rec'd	RESPONSE
Monitor YES/NO	17 NOV 2005 days
Consult	-----
Note	-----
File Reference	-----

Our Ref: NO 42/1
Casework: 27842

Date: 15 November 2005

Dear Mr Hamilton

PROPOSED BALMULLO QUARRY EXTENSION – ADDITIONAL INFORMATION

Following the provision of additional information by the applicant, SNH now wishes to set out our position.

SNH **objects** to this development as we feel that the restoration proposals as submitted are not of a satisfactory standard and do not outline current restoration best practice in sufficient detail. This objection will be removed once conditions on planning permission and legal agreements are in put in place and if information is provided by the applicant that will allow aspects of this planning application to be brought up to standard.

THE EXISTING QUARRY

Landscape impacts

The existing quarry and proposed quarry extension lies within an area defined as Upland Foothills in the Fife Landscape Character Assessment by David Tyldesley and Associates (1999), as commissioned by SNH and Fife Council. This study emphasises the overall importance of Upland Foothill landscape type within the Fife landscape and defines 11 areas where they occur. The key characteristics and descriptions for this landscape character type as defined in the Fife LCA are set out in Appendix A.

Lucklaw Hill itself forms an important and prominent landscape feature in north-east Fife rising to a height of 190m AOD. The hill is an important landmark due to its profile on the skyline of many views and also, in terms of detail, as a distinctive backdrop to the lower lying, flatter ground of other nearby landscape types. The nearby settlement of Balmullo is well related to this landform, sitting on the break of slope at the foot of the hill, while small steadings and farm cottages appear on higher ground.



The existing quarry is highly visible within its wider landscape context. This is due to the combination of the colour of the rock, the overall quarry shape and size of the quarry and the stark contrast that the quarry has with other key features of the surrounding local landscape character. For example, the immediate patterns of land-use on the southern slopes of Lucklaw Hill, created by small farm woodlands, shelterbelts and small-medium sized arable fields, combined with the sweeping topography of the hill slopes, serves to emphasise the contrasts of land-use created by the quarry and emphasises the large scale and unnatural profile of the quarry voids.

In SNH's opinion the impacts of the existing quarry on the immediate and surrounding landscape character can be considered to be significant and adverse.

Visual impacts

Given the relative elevation of Lucklaw Hill in comparison with its surroundings and the bright colour of the rock, the existing quarry at Balmullo is highly visible from large areas due south, east and west of the site. This is supported by the Theoretical Zone of Visual Influence Plan, which shows the general nature of visibility towards the quarry (figure 6.3), as well as the numerous photographs within the EIA from a range of key viewpoints.

In general, due to the stark contrast of tone and colour of the quarry with that of the surrounding vegetation and landform the existing quarry stands out as a highly noticeable and contrasting feature in many key views and many general viewpoints. The existing quarry's relative visual prominence is to some extent dependant on the quality and angle of the light combined with the prevailing weather conditions. Changes in such conditions can have great influence over the apparent distance at which the quarry can be seen. In favourable weather conditions the visual contrast of the rock with the surroundings of the quarry can often be visible over long distances. For example, viewpoint 10 which is at a distance of approximately 12km from the quarry.

In SNH's opinion the existing quarry generally has significant adverse effects on visual amenity in the local area surrounding the quarry and has a broad range of visual effects from more distant viewpoints.

THE PROPOSED EXTENSION

Landscape and visual impacts arising from the proposed quarry extension

We have outlined above a summary of why we consider the impacts on the local landscape character and on the local visual amenity of the existing quarry on the local area to be both significant and adverse will be both significant and adverse We understand that, although the quarry is operational at present, there is no means of achieving any mitigation or restoration of these impacts within the terms of the existing consent.

Therefore, in arriving at our position for the proposed extension SNH has assessed the effects of the additional quarry development on the baseline landscape and visual resources of the area. We have defined the existing quarry and its existing impacts as the baseline landscape and visual conditions. While we consider that the proposed extension does add to the existing significant and adverse landscape and visual impacts of the existing quarry during operation we consider that mitigation and restoration measures can reduce these additional impacts to an acceptable level in terms of comparison with baseline conditions.

In terms of the proposed extension our key concerns are :-

- The area of the quarry void will be extended. Thus, there is a threat that the existing significant and adverse landscape and visual impacts will be exacerbated unless adequate mitigation and a phased beneficial restoration scheme can be achieved.
- The proposed extensions to the north and east of the quarry are located on the visually prominent upper slopes of the site. This will increase adverse visual impacts during the relevant phases of the working period. Reduction of long term impacts here depends on successful restoration.
- The extended area of void to the north and west areas cannot be fully restored by infilling. Any reduction of adverse landscape and visual impacts in these areas relies on achieving vegetation coverage rather than any significant movement of materials.
- The extension of the quarry void will increase the area of ground that is to be excluded from public access. We presume the restored quarry will need to be fenced off for public safety. Lucklaw Hill is popular for local walks and the northwards extensions near the summit of the hill will adversely effect the local recreational amenity. These effects cannot be directly compensated for.
- The extended quarry will impact on the quality of experience of recreational users of the hill by reducing the area of semi-natural vegetation which contributes to the unique sense of naturalness of this part of the hill. These effects can be partly mitigated by careful profiling of the junction with existing topography, placement of soils and mechanisms designed to achieve semi-natural vegetation on the upper slopes and the junctions with the quarry void.
- The extensions increase the size of the existing quarry void when seen from wider views. The marked contrast between the quarry void with its exposed rock faces and surrounding land uses is a key contributory factor to the existing adverse impacts of the quarry on the landscape character of the local

area. The experience of these effects can only be partly mitigated by restoration.

- The north and east extensions further alter the unnatural profile and shape of the quarry which is in contrast to existing landforms. Planting may soften but not wholly remove these noticeable contrasts.
- SNH has no comments to make on the extensions that result in the deepening of the quarry floor.

As stated above we assume that no mitigation or restoration of the existing quarry condition is achievable within the terms of the existing consent. While we consider the existing conditions to be adverse in landscape and visual terms, our assessment is that in overall terms the additional effects arising from the proposed extension could be acceptable if suitable and detailed mitigation and restoration proposals are secured and implemented to strict specifications and timetables. Comments on the restoration proposals are outlined below. The conditions and legal agreements that SNH considers necessary to deliver key issues for natural heritage protection or enhancement are outlined in the section on SNH position.

New access route

The proposed new access route will create a prominent new linear feature in the landscape. While SNH appreciates the need to divert lorry movements away from the village we are concerned by the scale and nature of the landscape and visual impacts that will arise from this feature.

Of particular concern is the extent and scale of the cuttings and the changes to levels that are necessary to facilitate lorry movements. Combined with the height of proposed bunding, this will create a conspicuous feature that will serve to draw attention to the access route. While acknowledging that technical requirements must be met a less engineered approach, that does not require cuttings and bunding would provide a better solution in landscape terms. Planting hedging on top of the bund will serve to draw further attention to the access route and should be reconsidered. Where hedging is planted then hawthorn should be used as it is more in keeping with local landscape character than the proposal for beech. There is considerable potential for landscape mitigation of the access route through the use of woodland planting in areas between the edge of the village and the access track, particularly due north of the village. Furthermore, proposals should be considered for the careful re-positioning of the stone boundary wall beside the main road. In light of the above comments we query whether this is the best design solution for this access route and advise that this issue is reconsidered in order to secure a more sensitive landscape fit for this aspect of the application.

Designated sites

There are no statutory designated sites within the boundary of the proposed extension site or within its vicinity. There is, however, a non-statutory conservation site within the extension area. This is Lucklaw Hill which is one of a suite of Scottish Wildlife Trust Listed Wildlife Sites referred to in the Tay Coast Local Plan (1998). Policy E18 of the local plan states that the Council will, if appropriate, ensure that a site's important features will be safeguarded by:

- imposing planning conditions; and/or
- seeking to use Section 75 Agreements

This site is recognised for its dwarf shrub heath and unimproved acid grassland. Both of these habitats are rare and declining in Fife and SNH are concerned that the proposed extension to the quarry will destroy a significant proportion of these important habitats. Although we welcome the intention to restore the extension area to heathland we advise that establishing a heath can prove difficult.

Species

Two bird protected species, fulmar and peregrine, are known to use both the quarry and the proposed extension area as breeding sites. SNH has concerns that the proposed work could adversely affect these two species. It should be noted that the fulmar is protected under the general Wildlife and Countryside Act 1981 (amended) and The Nature Conservation (Scotland) Act 2004, whilst the peregrine is listed as a Schedule 1 species under the Wildlife and Countryside Act 1981. The special protection provided by Schedule 1 makes it an offence to disturb any species listed in Schedule 1 while it is building its nest; disturb any while it has eggs or young or disturb the young of any of these birds before they are wholly independent. SNH therefore advises that all work be carried out with these species in mind and work should avoid the nesting areas between March and September. SNH recognises the understanding of these issues currently shown by the quarry operators and the due care they take to avoid disturbance, and we would wish to see this good practice continue.

Right of Way

As a Right of Way (ROW) exists across the proposed extension site, it will be the responsibility of the applicants to reinstate, to an appropriate standard, an alternative route for this ROW. This route should be agreed with Fife Council by means of a formal ROW Diversion Order prior to any work commencing.

RESTORATION

Restoration proposals

While we support the broad thrust of the restoration proposals we are concerned that, as currently drafted, the proposals are over-simplified and as a result they do not outline current best practice for restoration in sufficient detail. Further information and refinement of detail is needed here. The following points represent SNH's initial views on some aspects of the restoration proposals and the further information that should be produced.

- **Intended restoration vision-** Further work could be undertaken to explain the restoration vision for the site. This will aid understanding of the proposals and set a firm context for what is proposed for now and in the future.
- **Benches (quarry shape and profile)-** The benching of the site will have great bearing on the future landscape and visual impacts of the site and how well the site ties in with surrounding topography. The phase 3 development plan shows benching that is too even and engineered to achieve a "fit" with the surrounding landscape. The western junction of the benching may jar with the existing topography and we consider the uppermost margins of the site to be particularly sensitive and requiring careful detailing. In general we would support an approach that leads to a greater degree of subtlety and design detail in the benching in order to achieve a landform that is more natural 'or rugged' in appearance.
- **Upper margins/ heathland-** we support the outline of the proposals for the upper margins to be re-established as heathland. This will be important in order to achieve a degree of visual and ecological tie-in with existing vegetation types beyond the application boundary. Heathland is however a highly substrate and climatic specific habitat, and it is necessary for the applicant to present further details of how this may be established, including evidence of the establishment of heathland in other areas with similar geological substrate and a similar climate.
- **Substrates-** we welcome comments that quarry fines will be saved and re-used in the restoration. As with other important materials, such as existing soils and sub soils, the need for purposes of restoration should be quantified and conditions for storage, etc, proposed.
- **Road access-** if current proposals are to be pursued we recommend that all works are removed and the ground is restored to existing contours.

In order to secure full and long term restoration of the excavations and associated developments then we strongly advise that necessary conditions are put in place to secure a detailed and comprehensive approach to restoration. While SNH appreciates the relatively long period for excavation of this quarry, we are firmly of the opinion that a either a sizeable bond specifically for the purpose of securing restoration should be put

in place, or that a full package of information should be agreed at an early stage in the planning process i.e. before this application is determined.

If Fife Council grant permission for this extension then the maps, plans and assessments of this proposal, submitted as parts of the planning application should represent the final extent of excavations at this location.

SNH POSITION

Objection

SNH **objects** to this development as we feel that the restoration proposals as submitted are not of a satisfactory standard and do not outline current restoration best practice in sufficient detail. This objection will be removed once conditions on planning permission and legal agreements are in put in place and if information is provided by the applicant that will allow aspects of this planning application to be brought up to standard.

Matters to be addressed by the provision of further information prior to consent or to be secured through the use of planning conditions:

1. Detailed scaled plans of the excavation and restoration proposals at key phases of the project implementation. (We strongly advise that these are produced to revise existing plans, before the application is determined by Fife Council, and address issues outlined above).
2. Detailed written specifications (supported by detailed scale drawings) of the phased restoration should be produced and agreed with Fife Council. Such specifications should include;-
 - A clear written statement of intended outcome for restoration in each key area
 - Description of specific techniques for the preparation of existing rock faces and other surfaces,
 - Description of the methods for placement of soil and other soil forming materials,
 - Description of ground preparation techniques,
 - Description of planting or seeding specification including plant or seed origin.
3. A detailed timetable for implementing the restoration works showing key phases of the restoration proposal and key restoration targets/ outcomes. Targets to be reviewed and monitored by Fife Council with a clear process for action as a result of non compliance.

Appendix A

C.3. UPLAND FOOTHILLS

4. Turf and all topsoil and subsoil should be retained on the site and stored in the positions agreed in accordance with submitted plans. All soils should be clearly identified and secured to be used in restoration of the quarry.
5. Written statements, plans, and design drawings outlining all matters relating to public access including all measures to restrict or divert public access (for example outlining the approach to fencing and signage) should be provided.

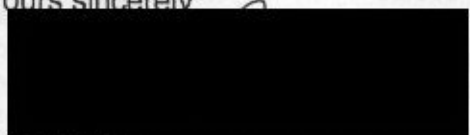
Furthermore, we would recommend that some off-site interpretation of the objectives of the restoration proposals is provided, perhaps located near the footpath at the upper margins of the site.

Matters to be secured by Section 75 legal agreement or other satisfactory measures:

1. Proposals for after care during the establishment period of restoration works should be submitted and approved by the planning authority. Such an after care arrangement should include a written undertaking to maintain the restoration proposals after each key phase of restoration and therefore during further quarrying operations. After care arrangements should in SNH's opinion extend for a period of a minimum of 5 years after excavation has ceased.
2. Proposals for the longer term management of the natural heritage interests of the site should be provided. We recommend that a management plan is produced which clearly sets out the necessary measures for public safety, vegetation management/ habitat enhancement, and matters relating to geological interests as well as issues of tidiness and public amenity.
3. Financial securities to ensure that these matters are delivered should be agreed.

If you require any further information on this response please contact Caroline Gallacher or Keith Dalgleish at SNH's Cupar office.

Yours sincerely



Robin Payne
Operations Manager
Fife and Falkirk

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.

C.3.22 Forestry
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.

C.3.24 Settlements and Built Development
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.

C.3.25 Other Forms of Development and Structures
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 aerials. 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 aerials.

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: <i>SCAM</i>	For/ACTION/REPLY/INFO OBS/CTEE/SV
Monitor	RESPONSE
YES/NO	27 JUN 2005
Consult	----- days
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.

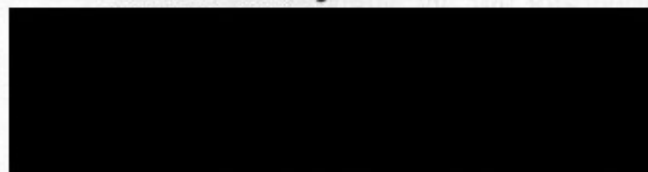
Quarry Road is a narrow single track unadopted country lane with no footpaths. As the enclosed leaflet shows it is part of the network of footpaths supported by Scottish Natural Heritage and is also a signed part of the Kingdom Cycle route. The vehicles which use the lane to the Quarry are absolutely 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

A large black rectangular redaction box covering the signature of Zoë Sanders.

Zoë Sanders



LAW & ADMINISTRATION SERVICE

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.)

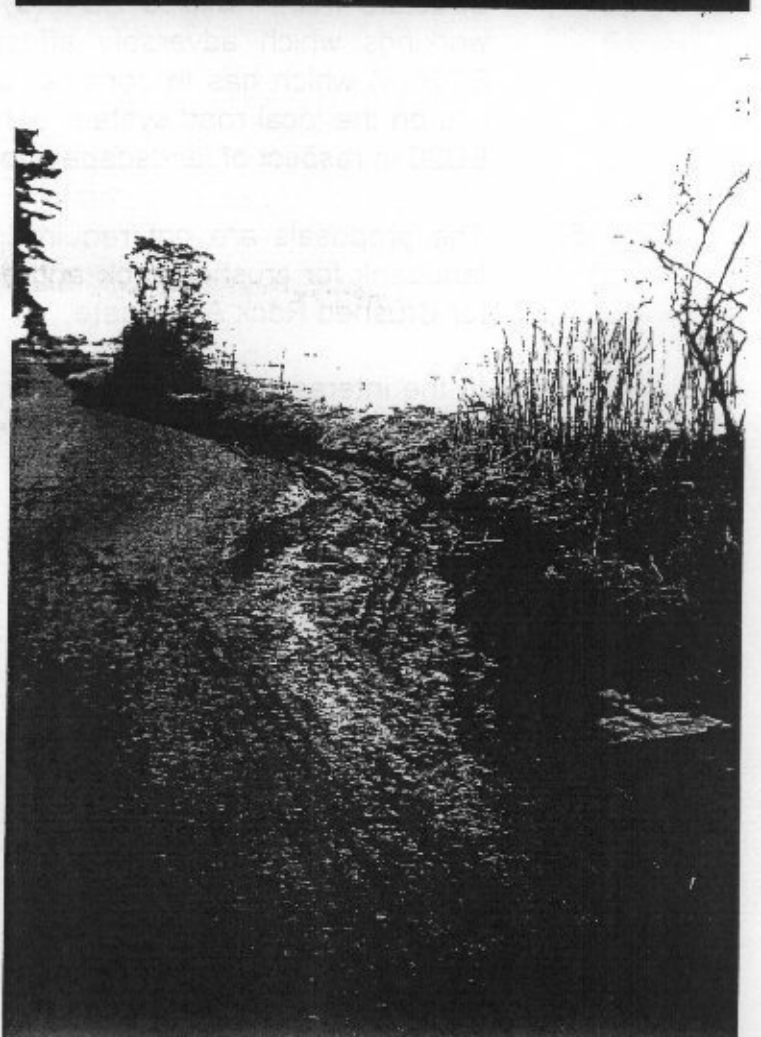
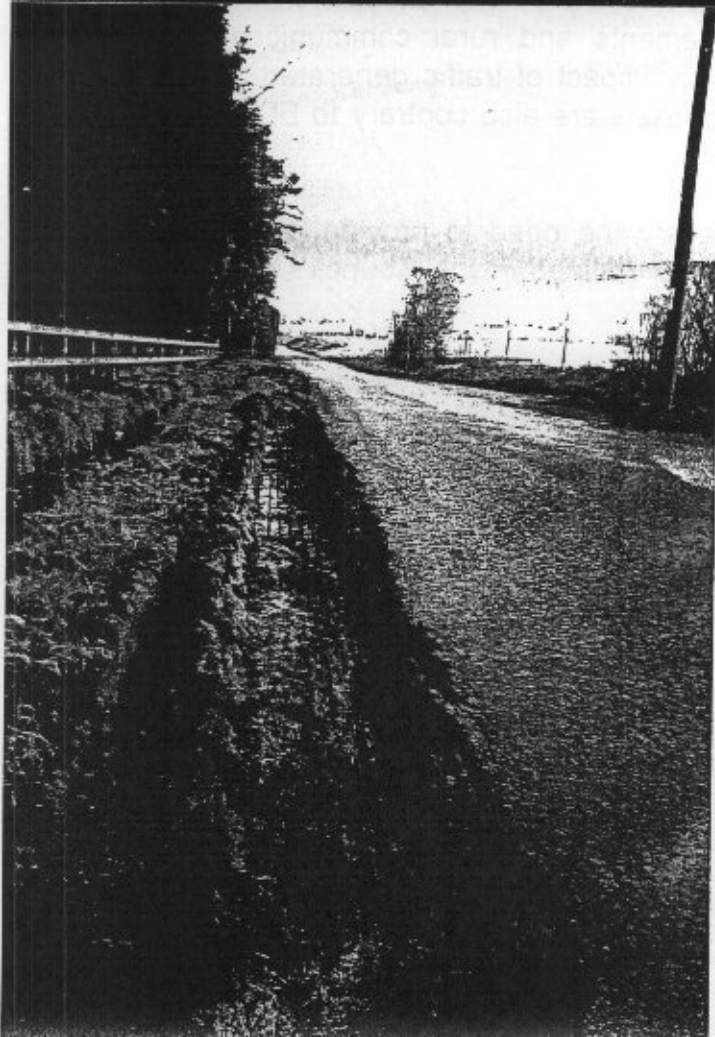
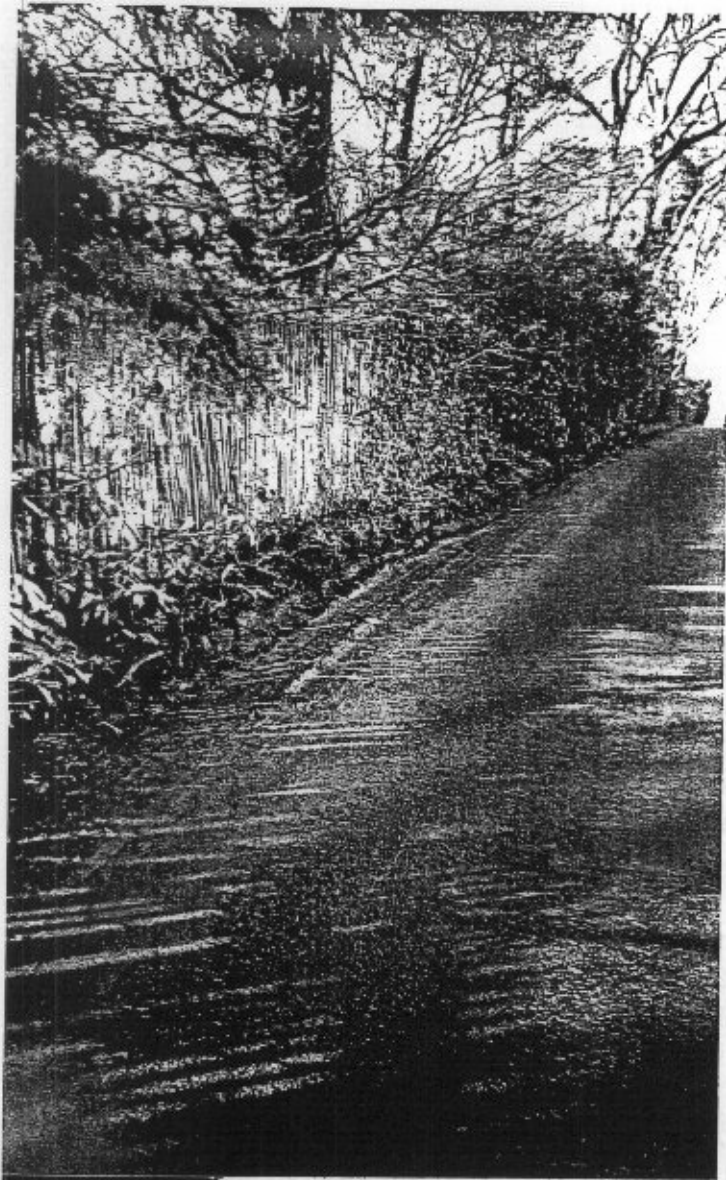
Enc.

GN220406

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

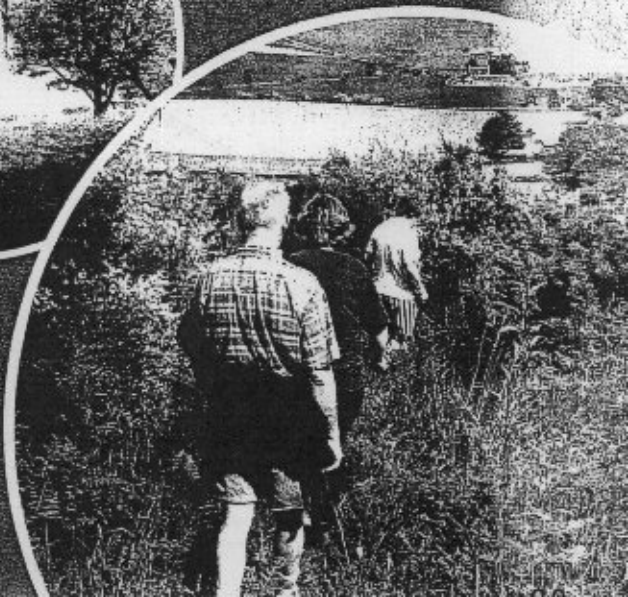
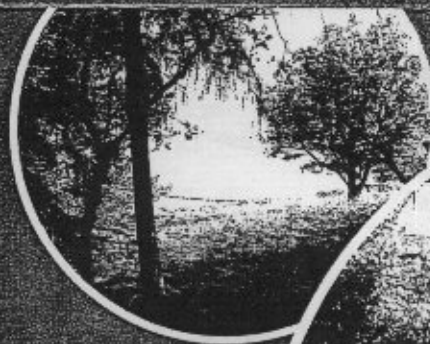


Supported by

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

Suggested Walks Around
Balmullo



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

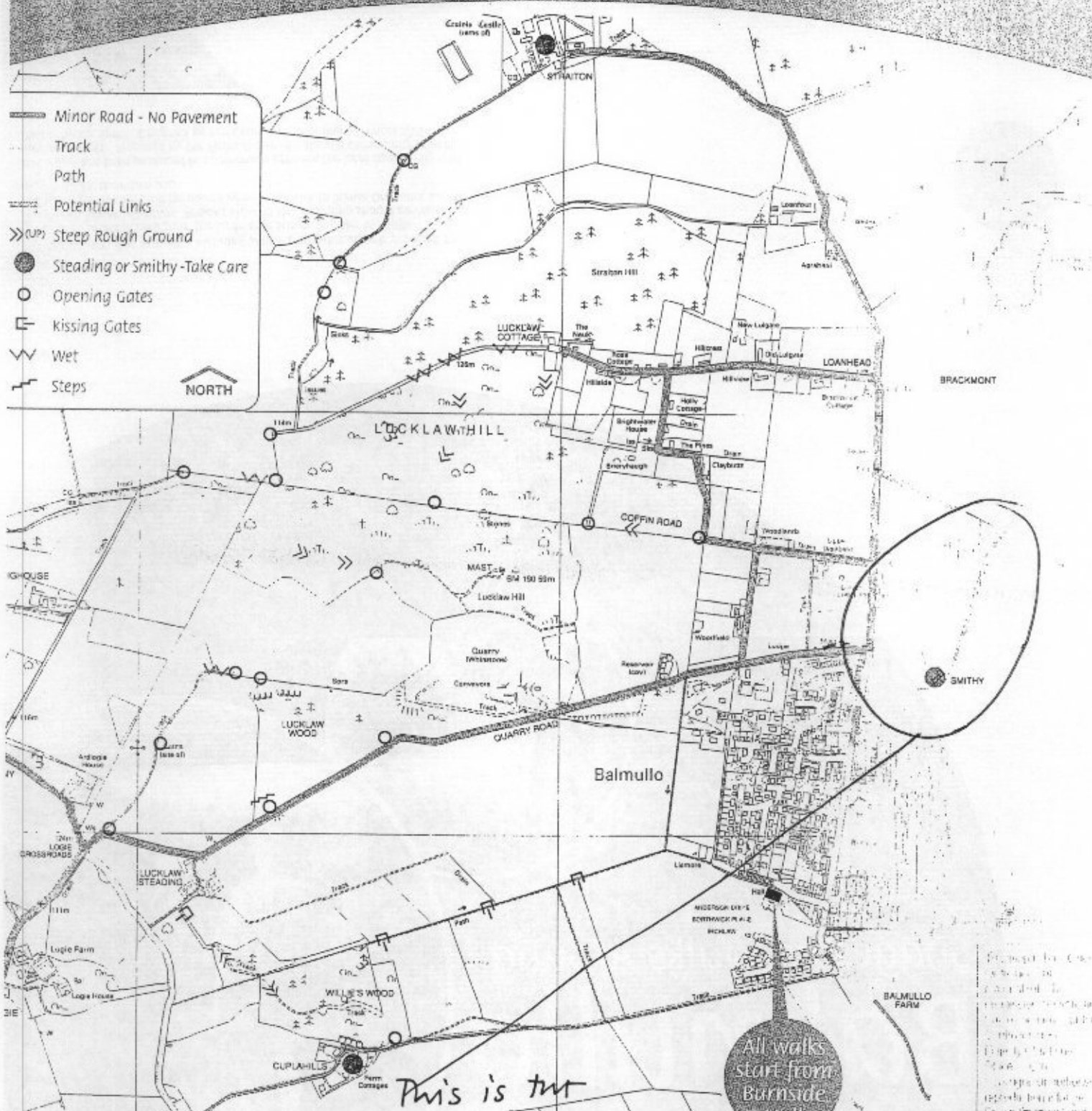


1 Along Burnside through Willie's Wood, down the car park, back towards Balmullo farm through the new houses back to the hall (3.2 miles).

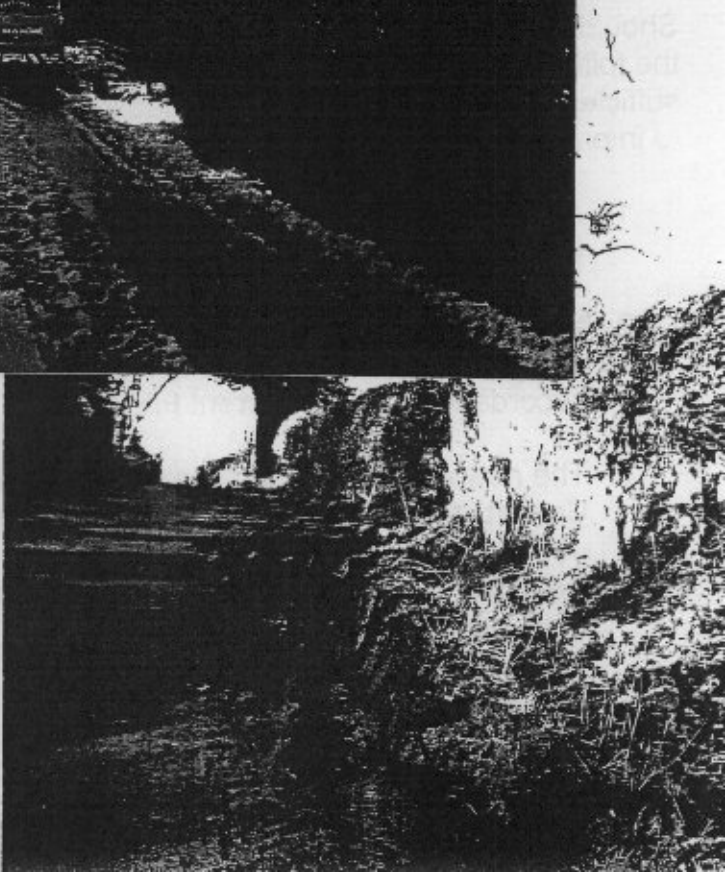
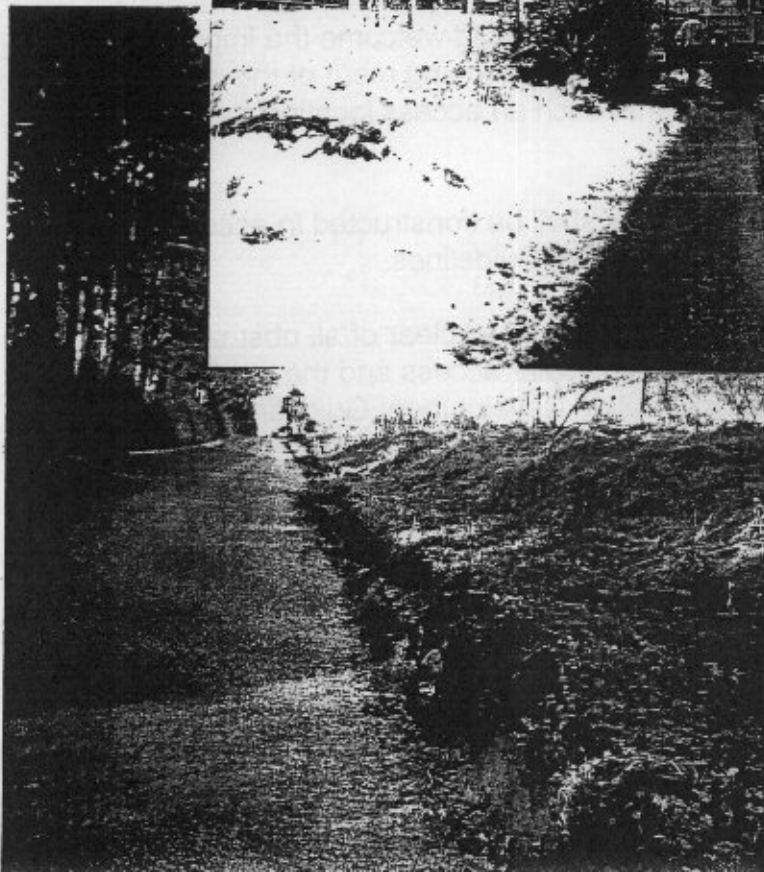
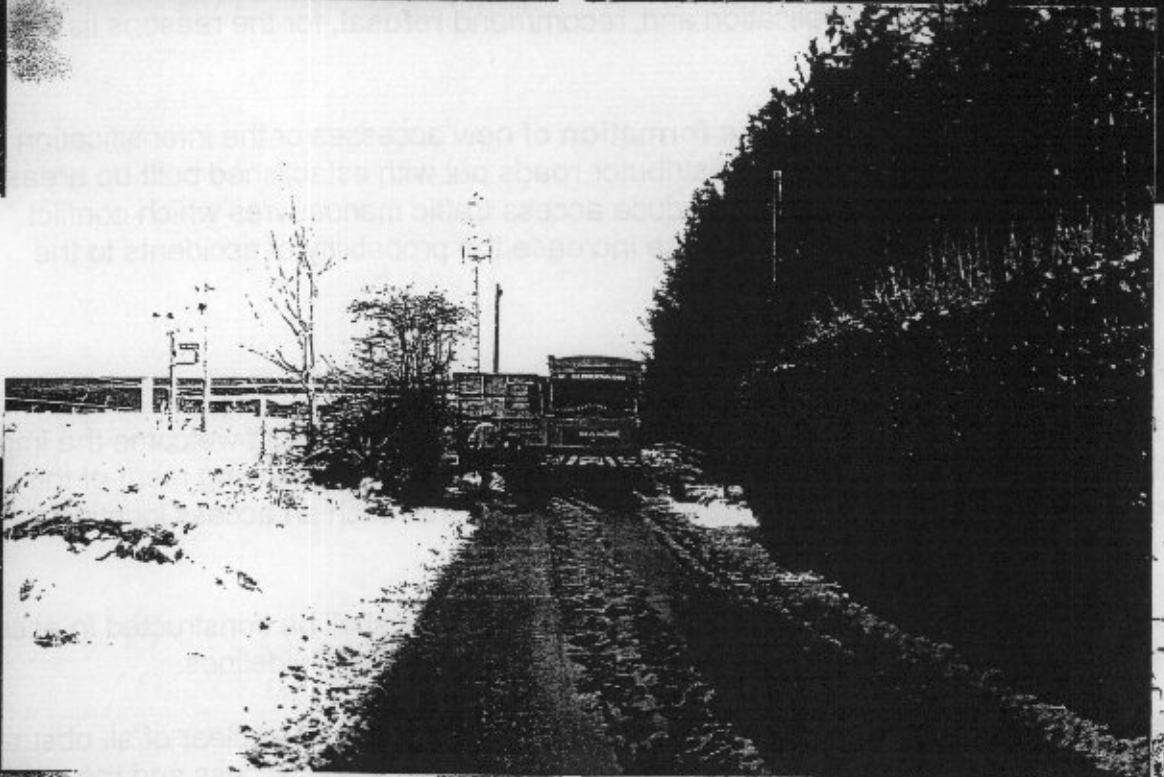
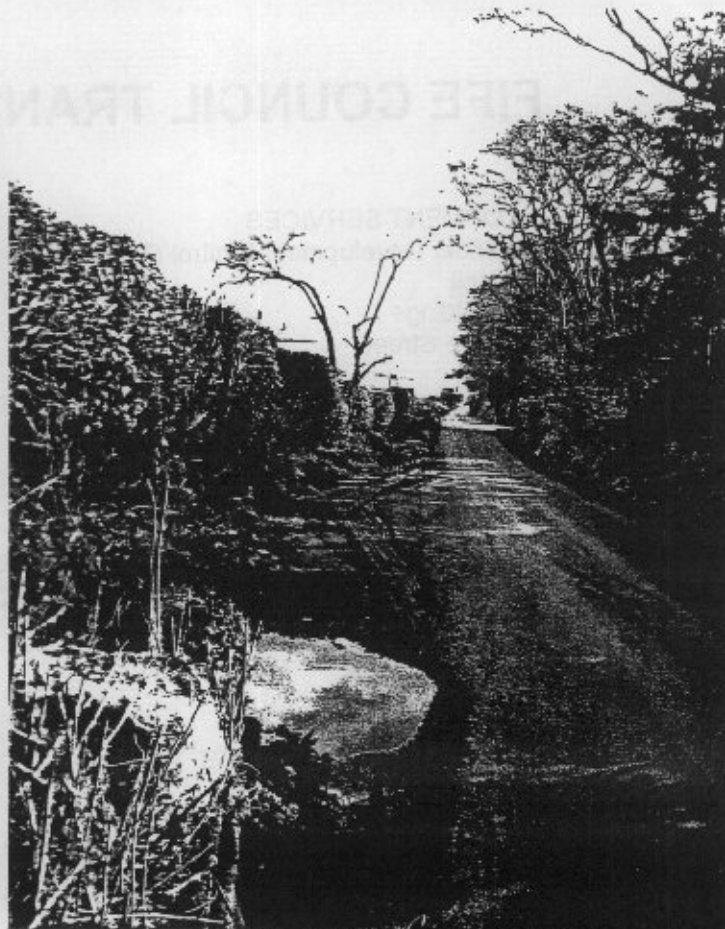
2 As for 1, Willie's Wood, then on the hill towards Lucklaw Steading and then right to local crossroads. Cross road to the left along Quarry Road for woods, then through gate along with a direction of road to east through gate. Follow north side of water then back through gate (may be very muddy) through Lucklaw Hill. Through gate onto hill follow track to road to east. Take path now to west towards wood. In the gate into wood land. Take path down to Burnside Cottage. Back down road to Loanhead and village (4.0 miles).

3 As for 2 to crossroads. Across road towards Lucklaw. Right along public path past Bighouse. Follow road through wood. Through gate onto field of field. Continue to gate to road. Through gate. Left down road to road towards Brackmont (4.5 miles).

4 By School Road and Quarry Road to gate and wood to gate and either by to mast across hill to wood to Coffin Road. Down hill



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FIFE COUNCIL TRANSPORTATION SERVICES

AM

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

DRUMCARROW Ltd

Property Development, Property Sales and Rentals

107
108

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

7th Mar 2005

DEV	
To: AH/KS	
08 MAR 2005	
29/03/05	
County	
Notes	
File Ref	

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.



Registered Office:- 1 Smithy Lane, Balmullo, St Andrews, Fife KY16 0FG
Tel 07710 841800 Registered In Scotland Company Number SC 236032
Vat No 806 5150 50 Company Directors:- A Thompson (M.D.), B Thompson.

0

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

*Telephone: 01334 871350
E-mail: barminkus@tesco.net*

9 March 2005

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

AM/KS

29/03/05

Dear Mr. Hamilton,

Quarry Road, Balmullo

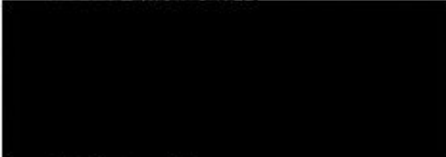
My wife and I understand that Ennstone Thistle have proposed a new road from the quarry at Balmullo to meet the A914 outwith the village. Whilst we agree in principle with the proposal, we strongly object to the projected line of the road on the following grounds.

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,


Colin Cuthbertson