

Perth and Kinross Council  
Planning & Development Management Committee – 5 May 2021

Pre-Application Report by Head of Planning and Development (Report No. 21/59)

Extension to quarry, Marlee Quarry, Essendy

Ref. No: [21/00002/PAN](#)

Ward No: P3 - Blairgowrie and Glens

**Summary**

This report is to inform the Committee of a potential forthcoming planning application in respect of a major development for Extension to an existing operational quarry at Marlee Quarry, Essendy west of Blairgowrie.

The report also aims to highlight key planning policies and the likely stakeholders who would be involved in the decision making process, and to offer a brief overview of the key planning issues which are likely to be relevant to the proposal.

**BACKGROUND AND DESCRIPTION**

- 1 In accordance with the provisions of the Town & Country Planning (Scotland) Act 1997 as amended, the applicants submitted a Proposal of Application Notice (PoAN) on 9 March 2021. The purpose of this report is to inform the Planning and Development Management Committee of a forthcoming planning application in respect of a major development for Marlee Quarry, Essendy, comprising an extension to the quarry on land to the north of the B947, beyond the existing quarry extents with continued use and operation of the existing processing and stockpile area. Pre-application reports give the Committee an opportunity to raise issues which it would like to see addressed in the planning application.
- 2 This PoAN seeks to formally establish a major development comprising an extension to the existing excavation area to extract sand and gravel to the north of the B947 at Leys of Marlee, alongside continued operation of existing processing and stockpiling area. The proposal acknowledges and makes provision for final restoration of the site at the cessation of extraction and processing operations. The plan boundary, including the linking haul route, extends to over 30 hectares. An indicative design submitted as part of the Environmental Impact Assessment (EIA) scoping opinion identified 3 excavation areas to be worked over 5 phases with up to 75,000 tonnes extraction per annum, for a period up to 18 years. The exact scale, operational detail and design of the development may be arrived at during pre-application discussions.

**ENVIRONMENTAL IMPACT ASSESSMENT (EIA)**

- 3 The applicant has already accepted and acknowledged that the proposals will constitute EIA development through the submission of the request for a formal

EIA scoping opinion (20/00909/SCOP). A scoping opinion was issued in December 2020.

## **PRE-APPLICATION PROCESS**

- 4 The PoAN confirmed that a public interactive event was held on Tuesday 31 March between 1800 – 2000. A link to the consultation was placed on the consultant's webpage. Further information and consultation opportunities were made available via mail, e-mail and telephone. The local ward Councillors and Blairgowrie and Rattray Community Council were notified. An officer response on the PoAN submission was provided, requesting that the local MSP and MP were also notified, along with a wider reaching letter/leaflet notification to local residents within 750m of the site boundary. Clarification on the timescales for the advert have also been sought, alongside a recommendation to undertake a follow-up public interactive event in relation to the wider consultation requirements. The results of the community consultation will be submitted in the Pre-Application Consultation (PAC) Report supporting the planning application. The earliest a planning application can be submitted is 1 June 2021.

## **NATIONAL POLICY AND GUIDANCE**

- 5 The Scottish Government expresses its planning policies through the National Planning Framework (NPF) 3, the National Roads Development Guide 2014, Scottish Planning Policy (SPP) 2014 and Planning Advice Notes (PAN).

### **National Planning Framework**

- 6 The NPF3 is a long-term strategy for Scotland and is a spatial expression of the Government's Economic Strategy and plans for development and investment in infrastructure. Under the Planning etc (Scotland) Act 2006, this is now a statutory document and a material consideration in any planning application. The document provides a national context for development plans and planning decisions as well as informing the on-going programmes of the Scottish Government, public agencies, and local authorities.

### **The Scottish Planning Policy 2014 (Revised December 2020)**

- 7 The SPP is a statement of Scottish Government policy on land use planning. The following sections of the SPP will be of particular importance in the assessment of this proposal: -
  - Sustainability: paragraphs 24 – 35
  - Placemaking: paragraphs 36 – 57
  - Promoting Rural Development: paragraphs 74 – 91
  - Supporting Business and Employment: paragraphs 92 – 108
  - Valuing the Natural Environment: paragraphs 193 – 218
  - Maximising the Benefits of Green Infrastructure: paragraphs 219 – 233
  - Managing Flood Risk and Drainage: paragraphs 254 – 268

- 8 The following Scottish Government Planning Advice Notes are likely to be of relevance to the proposal: -

- PAN1/2013 Environmental Impact Assessment
- PAN 1/2011 Planning and Noise
- PAN 2/2011 Planning and Archaeology
- PAN 3/2010 Community Engagement
- PAN 40 Development Management
- PAN 50 Controlling the Environmental Effects of Surface Mineral workings
- PAN 51 Planning, Environmental Protection and Regulation
- PAN 60 Planning for Natural Heritage
- PAN 61 Planning and Sustainable Urban Drainage Systems
- PAN 64 Reclamation of Surface Mineral Workings
- PAN 75 Planning for Transport
- PAN 79 Water and Drainage
- PAN 81 Community Engagement: Planning with People

## **LOCAL POLICY AND GUIDANCE**

### **TAYPlan Strategic Development Plan 2016-2036**

- 9 TAYPlan sets out a vision for how the region will be in 2032 and what must occur to bring about change to achieve this vision. The vision for the area as set out in the plans states that:

*“By 2032 the TAYplan region will be sustainable, more attractive, competitive and vibrant without creating an unacceptable burden on our planet. The quality of life will make it a place of first choice where more people choose to live, work, study and visit, and where businesses choose to invest and create jobs”*

- 10 The following sections of the TAYplan 2016 are of particular importance in the assessment of this application:
- Policy 7 – Energy, Waste and Resources
  - Policy 9 – Managing TAYplans Assets

### **Perth and Kinross Local Development Plan 2019**

- 11 The Local Development Plan 2 (LDP2) was adopted by Perth and Kinross Council on 29 November 2019. It is the most recent statement of Council policy and is augmented by Supplementary Guidance.
- 12 The LDP2 sets out a vision statement for the area and states that:  
*“Our vision is of a Perth and Kinross which is dynamic, attractive and effective which protects its assets whilst welcoming population and economic growth.”*
- 13 Under the LDP, the following policies are of particular importance in the assessment of this application:
- Policy 1: Placemaking
  - Policy 8: Rural Business and Diversification

- Policy 26: Scheduled Monuments and Archaeology
- Policy 31: Other Historic Environment Assets
- Policy 37: Management of Inert and Construction Waste
- Policy 38: Environment and Conservation
- Policy 39: Landscape
- Policy 41: Biodiversity
- Policy 42: Green Infrastructure
- Policy 45: Lunan Lochs Catchment Area
- Policy 47: River Tay Catchment Area
- Policy 48: Minerals and Other Extractive Activities
- Policy 49: Minerals and Other Activities
- Policy 51: Soils
- Policy 53: Water Environment and Drainage
- Policy 55: Nuisance from Artificial Light and Light Pollution
- Policy 56: Noise Pollution
- Policy 60: Transport Standards and Accessibility Requirements

### **OTHER POLICIES**

- 14 The following supplementary guidance and documents are of particular importance in the assessment of this application: -
- Tayside Landscape Character Assessment (TLCA)
  - Green and Blue Infrastructure Supplementary Guidance (2020)
  - Flood Risk and Flood Risk Assessments – Developer Guidance January 2021
  - BS 4142:2014+A1:2019 – Methods for rating and assessing industrial and commercial sound

### **PLANNING SITE HISTORY**

- 15 92/00830/FUL Proposed extraction of sand and gravel. Planning permission approved on 9 December 1994.
- 16 [17/00903/SCOP](#) Scoping request to extend the operational life of the quarry to allow extraction of remaining consented reserves through a Section 42 application to amend terms of Condition 1 of permission 92/00830/FUL.
- 17 [17/01371/MWM](#) Application under Section 42 of the Town and Country Planning (Scotland) Act 1997 seeking to develop land without complying with Condition 1 of planning permission PK920831 (extraction of sand and gravel). Planning permission approved 2 April 2019.
- 18 [20/00909/SCOP](#) Scoping request for proposed extension to quarry through extended excavation area. Scoping opinion provided December 2020.

### **CONSULTATIONS**

- 19 As part of the planning application process the following would be consulted:

## **External**

- Scottish Environment Protection Agency (SEPA)
- NatureScot
- Scottish Water
- Historic Environment Scotland (HES)
- British Geological Society (BGS)
- Perth and Kinross Heritage Trust (PKHT)
- Blairgowrie and Rattray Community Council

## **Internal**

- Environmental Health
- Strategic Planning and Policy
- Transport Planning
- Structures and Flooding
- Biodiversity Officer

## **KEY ISSUES AGAINST WHICH A FUTURE APPLICATION WILL BE ASSESSED**

- 20 The key considerations against which the eventual application will be assessed include:
- a) Proposed site choice
  - b) Scale, Design and Layout
  - c) Relationship to Nearby Land Uses
  - d) Natural Heritage and Ecology
  - e) Landscape and Visual Impact
  - f) Water Resources and Soils
  - g) Air Quality
  - h) Transport Implications
  - i) Socio-Economic Impacts (including Tourism and Economy and Agriculture)
  - j) Archaeology and Cultural Heritage

## **ADDITIONAL STATEMENTS WHICH WILL BE REQUIRED**

- 21 In association with the EIA Report, the following supporting documents are anticipated to be required in support of any planning application:
- Planning Statement
  - Design and Access Statement
  - Pre-Application Consultation (PAC) Report
  - Transport Assessment
  - Flood Risk and Drainage Assessment
  - Landscape and Visual Impact Assessment
  - Habitat Survey
  - Archaeological Assessment
  - Sustainability Assessment
  - Waste Management Plan

## CONCLUSION AND RECOMMENDATION

- 22 This report summarises the key issues which should be considered as part of the appraisal of any subsequent planning application which may be lodged in respect of this development and members are recommended to note these key issues and advise officers of any other issues which they consider should be included as part of the application and assessment.

Background Papers:	None
Contact Officer:	Callum Petrie
Date:	22 April 2021

**DAVID LITTLEJOHN**  
**HEAD OF PLANNING & DEVELOPMENT**

If you or someone you know would like a copy of this document in another language or format, (on occasion, only a summary of the document will be provided in translation), this can be arranged by contacting the Customer Service Centre on 01738 475000.
---

You can also send us a text message on 07824 498145.
--

All Council Services can offer a telephone translation facility.
--