



**MINUTES OF THE MEETING OF THE
PLANNING COMMITTEE**

**TUESDAY 1 SEPTEMBER 2020
VIA A DIGITAL MEETING FACILITY**

Committee Members Present:

Councillor N Hampshire (Convener)
Councillor L Bruce
Councillor J Findlay
Councillor N Gilbert
Councillor K Mackie
Councillor K McLeod
Councillor F O'Donnell
Councillor J Williamson

Council Officials Present:

Mr K Dingwall, Service Manager – Planning
Ms E Taylor, Manager Planning Delivery
Mr D Taylor, Planning Officer
Ms F Currie, Committees Officer
Ms P Gray, Communications Adviser

Clerk:

Ms A Smith

Apologies:

Councillor W Innes
Councillor S Kempson
Councillor C McGinn
Councillor J McMillan

Declarations of Interest:

None

1. PLANNING APPLICATION NO. 20/00627/PM: VARIATION OF CONDITION 5 OF PLANNING PERMISSION P/0867/91 TO CHANGE THE DATE OF RESTORATION TO WITHIN 28 YEARS FROM THE FIRST COMMENCEMENT OF OPERATIONS AT OXWELL MAINS, DUNBAR

A report was submitted in relation to Planning Application No. 20/00627/PM. David Taylor, Planning Officer, presented the report, summarising the key points. The report recommendation was to grant consent.

Mr Taylor responded to questions from Members. Regarding the restoration plan he clarified that such a plan was already in place, based on the presumption for landfill. There had been a drop in anticipated landfill rates. He confirmed that the proposal was compliant with Scottish Government legislation. On timescales and possible extensions, given the reducing amount going to landfill, he clarified that the applicant would have to discuss this with the Planning Authority. On possible operation creep over a number of years, he stated that Scottish Government legislation would not allow this. In relation to the reduction in the number of landfill cells from 12 to 8 and plans for the rest of the land, Mr Taylor advised that this would form the basis of the conditions as regards post restorative contours; the applicant would have to specify how they would use the land.

The Convener, a Local Member, commented that this site had been in this location for a long time and had created a lot of employment. He hoped that a final solution could be found to area being used as a quarry. He would be supporting the recommendation in the report.

Councillor O'Donnell remarked that the reduction in landfill was a mark of the success of recycling. She would be supporting the report recommendation.

The Convener moved to the vote on the report recommendation (to grant consent), taken by roll call:

For: 8
Against: 0
Abstentions: 0

Decision

The Committee agreed to grant planning permission subject to the following conditions:

- 1 The entire site will have been infilled and restored in accordance with approved restoration and recontouring schemes required under the terms of the following conditions no later than 28 years from the date on which landfill operations first commenced in September 1997 and therefore the works to restore the quarry shall unless any extension to the time is granted in advance by the Planning Authority be completed by September 2025.

Reason

To secure the timeous restoration of the site in the interests of the amenity of the area

- 2 Within a period of 3 years from the date of this planning permission a scheme detailing the final restorative contours of the site will be submitted for planning authority approval. The details shall include before and after restoration contours (at 1 metre intervals) of the excavated areas. All works to recontour the site will thereafter be carried out in strict accordance with the approved scheme unless otherwise agreed by the Planning Authority.

Reason:

To ensure that the finished land form is acceptable in the interests of the visual amenity of the area.

- 3 Within a period of 4 years from the date of this planning permission a detailed restoration plan and phasing programme for the entire site will be submitted to the Planning Authority for approval. The restoration plan will provide for a mixed scheme of restoration to include agricultural land, tree planting, the creation of a wide range of natural habitats and a measure of the potential of the site to accommodate other uses such as recreational.

Restoration of the site will be progressively carried out and completed in accordance with the approved phasing programme unless otherwise agreed by the Planning Authority.

The detailed restoration plan will specify the method and standard of soil replacement, finished land surfacing, and the size, species and planting matrix of trees, hedges and other structural planting to be carried out within the site. It will also include proposals for the future post-restoration management and maintenance for the restored site, including all landscape planting undertaken.

Reason

To ensure a satisfactory restoration of the site in the interests of the amenity of the area

Signed

Councillor Norman Hampshire
Convener of the Planning Committee