

**PLANNING APPLICATION Ref. No: 10/02181/FLM**

**Variation of Condition (3) of Planning Permission 84/956/MW to enable the winning and working of minerals to continue to 2035 at Glendevon Quarry, Glenquey**

**REPRESENTATIONS FROM  
“STOP THE QUARRY : SAVE GLENQUEY” CAMPAIGN  
and  
FRIENDS OF THE OCHILS**

**19 NOVEMBER 2014**

*Carbon store and EU protected habitat - Glenquey Moss in full bloom*

1. **GLENQUEY MOSS** is a small, but very significant, peatland habitat situated at the centre of scenic Glen Devon, one of the “Gateways to Perthshire” through the centre of the Ochil Hills. We are deeply concerned about the survival of Glenquey Moss as a living ecosystem, a peatland carbon store and a unique geodiversity site. If this application is approved, it will lead to the unjustified loss of a priority habitat under Annex I of Council Directive 92/43/EEC and a species under Annex I of Council Directive 2009/147/EC.
2. We appreciate that under the law you are required to determine this application in accordance with the Development Plan, unless **material considerations** indicate otherwise. We believe that this application does not balance the relevant policies in the Development Plan and that there are also overriding **material considerations** favouring a refusal of this extension. An indicative list of possible Material Considerations are on the Perth and Kinross Council website at <http://www.pkc.gov.uk/article/2506/Material-considerations>
3. The Stevens Committee recommended that a time-limit was desirable for mineral operations because of their long-term nature and the changes in circumstance that can occur during that period. Since the *Climate Change Act* of 2009 and the subsequent *Low Carbon Scotland* report the significance of the overlying peat, as a carbon store, has become more important, since the 1984 permission, than the underlying gravel. We are now awaiting a *National Peatland Plan* from Scottish Natural Heritage to give guidance on the conservation and management of peatlands. Since the EU Habitats Directive, the value of raised and blanket bogs has been internationally-recognised as sensitive ecosystems, compared to the 1984 permission to extract gravel.
4. We believe you have the power under Section 42 (b) of the Town and Country Planning (Scotland) Act 1997 (as amended) to maintain the existing conditions under which the permission was previously granted i.e. for 20 years to expire in 2011. This is confirmed in paragraph 76 of the Committee Report: “*if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.*”

## KEY ISSUES

5. The key issues involve balancing the limited economic value of the extraction of sand and gravel under the peat at Glenquey Moss against the adverse environmental impact of carbon emissions and depleted carbon storage at the site, the loss of an important geodiversity and biodiversity site and the adverse impact on tourism and local communities.
6. The approval of this application would result in damage to a carbon store and would go against the Climate Change (Scotland) Act 2009, the National Planning Framework (NPF3) and the Scottish Planning Policy (SPP) which are all aimed at achieving a low-carbon Scotland. Damage which might affect its status as an active raised bog/blanket bog, would breach Annex I of the EU Habitats Directive and go against the UK Biodiversity Action Plan and the Scottish Biodiversity List.
7. We request the refusal of this application for the following reasons:
  - It does not balance a number of key Local Development Plan policies;
  - The supporting Environmental Statement is inadequate and could result in a breach of EU legislation;
  - Several significant **material considerations** have not been adequately addressed;
  - There is also considerable doubt about the legality and status of the so-called “extant” permission;

## LACK OF BALANCE WITH LOCAL DEVELOPMENT PLAN POLICIES.

8. We consider that the application fails to balance a number of policies in the Development Plan. Policy 3 of the strategic TAYplan refers to “*Understanding and respecting the regional distinctiveness and scenic value of the TAYplan area through...safeguarding habitats, wetlands, carbon sinks, species and wildlife, geodiversity...and allow*

*development where it does not adversely impact upon or preferably enhances these assets.” This application also fails to balance a number of policies in the Local Development Plan 2014.*

9. **CARBON RICH SOILS: POLICY EP1A.** *The Council is committed to ensuring that development minimises disturbance to, and the loss of, carbon rich soils, including peatland, which are of value as carbon stores. Development will only be permitted on areas of undisturbed carbon rich soils, including peatland, where it has been clearly demonstrated that there is no viable alternative, or where the economic and social benefits of the development outweigh any potential detrimental effect on the environment.*
10. *Glenquey Moss is an area of undisturbed peatland which acts as a carbon store in accordance with Scottish Government national policies. A later paragraph of this report suggests a range of viable alternative sources of sand and gravel covering the market areas likely to be supplied from Glenquey Moss. The Committee Report suggests that a quarry would directly employ 6 members of staff and support a further 10 personnel in related activities, with a potential to contribute £50 000 per annum to local business rates. It is argued that this development could, however, prejudice a significant number of other jobs and businesses in the recreation and tourism sector and would not outweigh the potential detrimental effects on the environment.*
11. *As well as being an important habitat for wildlife, bogs function as important carbon stores through the formation of carbon-rich peat. The disruption of peat on the site will result in the release of carbon into the atmosphere as carbon dioxide and re-wetting of the excavated peat is likely to lead to the release of further carbon in the form of methane. In the longer term the ability of any disturbed bog habitat to sequester carbon through the active formation of peat is likely to be lost.*
12. *In paragraph 60 of the Committee Report we note that: “SNH is not convinced that the restoration proposed will be successful and experience elsewhere suggests that this will leave an area of dried out oxidised peat that lacks the*

*essential peat forming bog mosses. An area of 2 hectares of bog is to be left intact, however it is very difficult to retain or restore the original hydrology of this isolated area of bog and it is unlikely to remain as fully functioning bog habitat.”*

13. We draw your attention later in this report (paragraph 29) to the very recent - 6 October 2014 - determination of Planning Appeal Decision (Reference: PPA-170-2081) on the destruction of peat on Nutberry Moss, Dumfries and Galloway. This is the most recent example of the emphasis that Appeals Reporters place on the value and conservation of peatland. Although, “peat cutting” is technically different from the “peat-stripping” planned for Glenquey – the principles regarding the value of peat as a carbon store are the same.
14. **ENVIRONMENT: POLICY NE3: BIODIVERSITY.** *The Council will seek to protect and enhance all wildlife and wildlife habitats, whether formally designated/protected or not, taking into account the ecosystems and natural processes in the area. The Council will apply the principles of the Tayside Biodiversity Partnership Planning Manual and will take account of the Tayside Local Biodiversity Action Plan (LBAP) and relevant national and European legislation relating to protected species when making decisions about applications for development.*
15. Glenquey Moss has been classified as a raised bog and a blanket bog, which is possible by different definitions. These are covered by two priority habitats under Annex I of Council Directive 92/43/EEC; 7130 Blanket bog and 7110 Active raised bogs. Blanket bog also features in the UK Biodiversity Action Plan and is on the Scottish Biodiversity List. Raised bogs are one of Europe's most threatened habitats.
16. **GEODIVERSITY:** The application site is a charismatic landscape feature, central to the story of post-glacial formations in the Ochil Hills and described as *“the highest and best defined terrace present within Glen Devon.”* The value of these landscapes is enshrined in Scotland’s Geodiversity Charter from which advice has been prepared

for local authorities. *“The key message underpinning the Charter is that the sustainable management and conservation of geodiversity is not simply desirable, but is essential to safeguard the many benefits that geodiversity provides for society. In the current fashion, these can be framed in terms of ecosystem services.”* Perth and Kinross Council has signed up to the Geodiversity Charter.

17. The ES and the Committee Report fail to acknowledge the significance of the post-glacial delta feature which forms Glenquey Moss. A unique geodiversity site – a lake delta of the 14,000-year-old post-glacial Lake Devon, described by Professor Andrew Russell as: *“the highest and best defined terrace present within Glen Devon.”* It is an important feature enabling the understanding of the deglaciation of the Ochil Hills and the formation of Glen Devon. The Committee Report fails to acknowledge the report by Pudsey of Tayside Geodiversity, submitted in April 2014, which described Glenquey Moss as *“the best example of an ice-marginal delta in Perth and Kinross”*. The proposed quarry would devastate this important site.

18. **LANDSCAPE POLICIES: POLICY ER6:** Is designed to ensure that development and land use change is compatible with the distinctive characteristics and features of Perth & Kinross’s landscapes, do not erode local distinctiveness, diversity, quality, the historic and cultural dimension and the, visual and scenic qualities of the landscape experience. Developments are required to safeguard views, viewpoints and landmarks, safeguard the tranquil qualities of the area’s landscapes and the relative wildness of the area’s landscapes. Policy ER6 also states that: *“development proposals will be supported where they do not conflict with the aim of maintaining and enhancing the landscape qualities of Perth and Kinross”* and to *“incorporate measures for protecting and enhancing the ecological, geological, geomorphological”* aspects.

19. The current application will erode local distinctiveness, diversity, quality and scenic qualities of the landscape experience. This development will not safeguard views, viewpoints and landmarks nor the tranquil qualities of the

area's landscapes. It will result in a severe loss of amenity to the community with increased traffic, noise and disruption of the peaceful enjoyment of the countryside.

**20.SUPPLEMENTARY GUIDANCE ON LANDSCAPE:** As an integral part of the Local Development Plan, the Council is progressing its *Supplementary Guidance on Landscape*, with a Consultation Document due out in Autumn 2014. The purposes of Local Landscape Areas are to:

- safeguard and enhance the character and quality of landscapes, which are important or particularly valued regionally or locally;
- promote understanding and awareness of the distinctive character and special qualities of local landscapes;
- safeguard and promote important settings for outdoor recreation and tourism locally.

It is probable that the Ochil Hills, including the Glen Devon/ Glen Quey area will be afforded the accolade of Local Landscape Area and it is submitted that this review is a **material consideration** in this application.

**21.MINERALS POLICIES: POLICY ER4A: EXTRACTION.** *Favourable consideration will be given to proposals for the extraction of minerals, where:*

- a) it can be demonstrated that there are local, regional and/or national market requirements for the mineral that cannot be satisfied by greater efficiency at existing workings or other alternative sources; or*
- b) it would assist in maintaining, as a minimum, a ten-year landbank for aggregates within a recognised market area*

Glenquey Moss is not identified as a site for minerals extraction in the Local Development Plan 2014.

**22. Market Requirement, Alternative Sources and Ten-Year Landbank.** Since the original planning permission was granted in 1964, there has been no commercial exploitation of the site over a period of 49 years. The Committee Report refers frequently to the need for this site and its inclusion in the 10-year landbank. We address this in detail in Appendix A. In 2005, the combined Tayside and Fife survey area produced 1.813 million tonnes of sand and gravel. The forecast output from Glenquey is only 0.16 million tonnes per annum.

23. Despite the requirements of Policy ER4A, the applicant has not considered any alternative sites. We do not agree that *“it makes both economic and environmental sense to continue the consent rather than release a new greenfield site elsewhere.”* We consider that Glenquey Moss, is itself, a “greenfield site” and that there are many more less-sensitive locations to extract sand and gravel. We do not agree that *“within the context of the existing consent and it’s inclusion within the 10 year supply land bank that the need for the development has been satisfactorily justified”*. (Committee Report - Paragraphs 84/85)

**24. EFFICIENCY AND WASTE: ER4C: EFFICIENCY AND WASTE.** *Greater efficiency in the use of primary mineral resources is encouraged. Minerals and other extractive development will minimise the production of waste. Construction activities will be encouraged to use recycled aggregate/other materials where possible.*

Permitting an extension to a source of natural, non-renewable, sand and gravel will not encourage the use of recycled aggregates.

## **INADEQUATE ENVIRONMENTAL STATEMENT**

25. This planning application is underpinned by an Environmental Statement which is regarded as inadequate and flawed. A number of subsequent individual reports, produced by qualified and competent authors, have demonstrated the inadequacy of the Environmental Statement upon which this application is based. Paragraph 126 of Scottish Planning

Circular 3, 201,1 deals with the inadequacy of Environmental Statements and refers to the English case of R v Cornwall CC ex parte Hardy [2001 JPL 786]. In this appeal case, albeit in England, planning permission for extension of a landfill site was quashed, because insufficient information had been placed before the planning authority to enable it to make a proper decision.

26. Among other issues, the current Environmental Statement (ES) fails to adequately address:

- a) **European Union Habitats Directive.** The Environmental Statement (ES) provided with the application has failed to sufficiently assess the importance of the site under the European Habitats Directive and other legislation. The Environmental Statement fails to provide information required by Council Directive 85/337/EEC in terms of an adequate assessment, which will lead to the unjustified loss of a priority habitat under Annex I of Council Directive 92/43/EEC and a species under Annex I of Council Directive 2009/147/EC.
- b) **Geodiversity:** The ES ignores the important geodiversity value of the site. In 2014, Tayside Geodiversity, submitted a report, which emphasised the importance of the whole, 14,000 year-old, sand and gravel formation of the Glenquey Moss as “*the best example of an ice-marginal delta in Perth and Kinross*”. This has not been referred to in the Committee Report.
- c) **Vegetation Survey:** Scottish Natural Heritage (SNH) was critical of the lack of a proper vegetation (NVC) survey and concluded that the mitigation measures were unlikely to succeed and would lead to the release of greenhouse gases.
- d) **Invertebrate Survey:** SNH concerns about the lack of an invertebrate survey have been supported by Buglife in a letter as recently as November 2014, recommending refusal of this application. The results of two independent surveys (*Godfrey, (2013) and Lavery, (2012)*) have shown a number of uncommon insects

and spiders, including a UK Red Data List species and one species on the Scottish Biodiversity List. The ES omitted an invertebrate survey.

- e) **Bird Survey:** The ES provided only a survey of breeding birds. This included a number of species of conservation concern, but did not include the Short-eared Owl *Asio flammeus*, which was recorded by an independent survey. Short-eared Owl is listed in Annex I of the European Birds Directive 2009/147/EC. However, the ES also failed to consider the birds which bred “around” the site, as required by the EIA Regulations, and use the Moss for feeding and resting. It therefore failed to consider a number of important species, including the black grouse, a Red List species, which is starting to recover a population around the new native woodlands planted by the Woodland Trust. In November 2014, the RSPB submitted a letter emphasising the importance of Glenquey Moss and highlighted their disappointment with this application. The Moss also supports a colony of badgers.
- f) **Greenhouse Gases and Climate Change:** SNH pointed out that the release of greenhouse gases from the proposed operation would be inevitable. The Scottish Government is spending £15 million on the restoration of Scotland’s peatlands, because it recognises the value they have in storing greenhouse gases to help reduce the effects of climate change. The proposals in the current application would reduce the value of this investment. Destroying peatlands also leads to the loss of the peat archive, where the climate record has been stored over thousands of years. Archives from these bogs are being used to help understand changes in our current climate. The ES is silent on the release of greenhouse gases and their effect on climate change.
- g) **Connectivity of Habitats.** The Local Development Plan stresses the need to provide connectivity between habitats. Glenquey Moss forms a key link in the network of ecosystems in Glen Devon, connecting the water ecosystems of Castlehill, Glen Quey and Glen Sherup reservoirs and the Woodland Trust’s new

native woodlands at Geordie's Wood, Glen Quey and Glen Sherup. The ES does not consider the wider linkage of Glenquey Moss in the Glen Devon ecosystem

27.Paragraph 108 of the Committee Report acknowledges a key document submitted by a member of the public, Alistair Godfrey. "*Glenquey Moss, Blanket Bogs of the Ochil Hill and Raised Bogs in Perth and Kinross*" in 2013, but does not adequately evaluate its significance in correcting the Environmental Statement. The Committee Report ignores equally- significant reports by Lavery (2012) and Jamieson; *Briefing Note 2. Issues of Diversity.* (2013). There is no reference to the further information and recommendation for refusal provided by Buglife, (*letter to Perth and Kinross Council, 11 November 2014*) and the disappointment expressed by Royal Society for the Protection of Birds, (*letter to Perth and Kinross Council, November 2014*) - on the ecological importance of Glenquey Moss.

28.We do not accept (paragraph 116) that this site "*is of no special interest*". If the site is considered by SNH to be "*of low diversity*" this may be because it has not yet been adequately surveyed. (See references above). If it is of no special interest, why are so many surveys required under Conditions 28 and 29 in the Committee Report? These surveys should be carried out before considering this application, when they may be subject to public consultation and scrutiny. We do not accept that the raised bog "*has been modified and is not of such importance to require any special protection.*" Glenquey Moss is an active raised bog and, taking account of its geodiversity and biodiversity values, deserves designation, perhaps as a Local Nature Reserve.

## **RELEVANT APPEAL DECISIONS**

29.A very recent appeal decision (PPA-170-2081) (6 October 2014), by a Reporter appointed by the Scottish Ministers, refused an appeal against a planning authority for an extension to the period of peat extraction on a site. "*The key issue involves balancing the economic value of the continued extraction of horticultural peat at Nutberry Moss against the adverse environmental impact of further carbon emissions and depleted carbon storage at the site.*" The

need for public bodies to undertake their duties under the Climate Change (Scotland) Act 2009 was emphasised. The Reporter commented on the years of damage to the site by peat extraction and took account of people who were employed there. Although damaged, the site is believed to have the potential for restoration. In his Appeal Decision Notice, having regard to the loss of employment, the Reporter agreed with the time-limit imposed by the Council and reduced the period of extension from 25 to 10 years. He also added an additional 10 rigorous conditions to ensure the site was regenerated and returned to an active peat bog at the end of the 10-year operation. Three of the material considerations upon which the Reporter based his decision were:

- The Climate Change Scotland Act
- The Low Carbon Scotland
- The emerging National Peatland Plan

## **RELEVANT MATERIAL CONSIDERATIONS**

30. The range of issues which may be considered as “material” is given in the PKC Planning website. We cannot agree with **Section B of the Committee Report - JUSTIFICATION:** *“The proposed development of the site is in accordance with the Development Plan and there are no material considerations that indicate otherwise”*. We draw your attention, below, to a number of significant **material considerations**.

31. Both the **National Planning Framework (NPF3)** and **Scottish Planning Policy (SPP)** have recently been reviewed (2014) and refer to the value of conserving peatland as a means of carbon capture and storage. Both are aimed at achieving a low carbon Scotland. According to NPF3, the National Peatland Plan will provide guidance for planning and decision making in relation to this internationally-significant resource. However, this plan has not yet been published. In the meantime there is no specific guidance in relation to applications for time-extensions of currently authorised peat workings, such as those at Nutberry Moss. However, the Reporter noted *“the absence of this specific*

*guidance does not of itself justify extending the working life of Nutberry Moss to 25 years without regard to other material considerations.”*

32. **The Climate Change (Scotland) Act 2009:** The Climate Change (Scotland) Act 2009 is another important **material consideration**, as it sets ambitious, binding carbon emissions targets, and requires public bodies in exercising their functions to act in the way best calculated to contribute to the delivery of these targets and in a way that they consider is most sustainable. Scottish emissions for the year 2050 is set at least 80% lower than the 1990 baseline and sets an interim target of a 42% reduction by 2020. These statutory targets are important **material considerations**.”
33. **Low Carbon Scotland:** “*The Low Carbon Scotland: Meeting Our Emissions Reduction Targets 2013-2027*” report (RPP2) underlines the importance of peat in the achievement of these targets and explains the consequences of continued extraction. NPF3 is clear that planning must facilitate the transition to a low carbon economy and help deliver the aims of RPP and must be a **material consideration** for this application.
34. **National Peatland Plan:** SNH is currently consulting on ‘*Scotland’s National Peatland Plan*’ which includes the formation of the National Peatland group to facilitate and advise on good practice and proportionate restoration activity. Pending the National Peatland Plan the Reporter concludes that: “*the best source of information on current best practice in this regard is the consultation advice of Scottish Natural Heritage*”. In the case of this application SNH is not convinced that the restoration proposed for the stripped areas will be successful. Experience elsewhere in Scotland suggests that this will leave an area of dried out oxidised peat that lacks the essential peat-forming bog mosses. SNH therefore consider that the proposal appears to be contrary to Scottish Planning Policy 2010 and local plan policies over the loss of peatlands and is concerned that the proposed restoration scheme to re-create bog habitat is complex and the protection of any retained bog is problematical. SNH advice and the emerging National Peatland Plan must be considered **material considerations** in this application.

## OTHER MATERIAL CONSIDERATIONS

35. **Perth and Kinross Council - Supplementary Guidance on Landscape.** As an integral part of the Local Development Plan, the emerging *Supplementary Guidance on Landscape* must be a **material consideration** in this application.
36. **The Scottish Government's Land Use Strategy.** The Scottish Government's Land Use Strategy, '*Getting the Best From Our Land*' (2011) is aimed at achieving a more integrated approach to land use. It sets out key principles for sustainable land use to guide policy and decision making in the management of Scotland's land. It emphasises that land use should deliver multiple benefits, - the "*Ecosystem Services Approach*" - and encourages making best use of assets to support primary activities including carbon storage. Glenquey Moss offers multiple benefits to the community but excavating it for sand and gravel would eliminate, or seriously degrade, the other possibilities. Scottish Planning Policy supports sustainable development. The mineral reserve at Glenquey is relatively small and finite and offers only short-term gain as opposed to the long-term sustainable value of the natural environment. It is estimated that the value of Scottish aggregate production in 2005 was £92 million, compared to a tourism spend of £10 billion in 2013. Much of the future employment in sustainable land-use activities in Glen Devon is likely to come from recreation, tourism and agriculture.
- **Recreation and Tourism.** VisitScotland highlighted the potential of wildlife tourism in its strategic review - Scottish Tourism: The Next Decade 2006 – which is a **material consideration**: Glen Devon already has a strong tourism infrastructure including a network of trails for walking, cycling and horse-riding, a well-loved tourist route along the A823 to Gleneagles and a number of tourism-based enterprises such as the Tormaukin Hotel, a holiday chalet park, a pony-tekking centre and three commercial trout fisheries.

- **Agriculture.** The Scottish Rural Development Programme (SRDP) is the Scottish Government’s mechanism to fund land-managers to tackle environmental priorities in the countryside. SRDP must therefore be a **material consideration** for this planning application. At least four Rural Priorities for Tayside, within the SRDP, would be relevant to Glenquey Moss.

### **THE LEGALITY AND CURRENT STATUS OF THE, SO-CALLED, “EXTANT” CONSENT.**

37. There is still considerable doubt as to the legitimacy and the current status of the, so-called, “extant” planning permission. The Committee Report makes frequent reference to the fact that the 1984/1991 permission is extant. Insofar as we interpret Section 42 of the 1997 Act, it is only extant within the time-limit imposed by the conditions. Since the condition expired in 2011, we believe it is no longer a valid permission.

38. There is doubt as to whether the historic permissions were properly granted, under which sections of which legislation, at which date. There is doubt as to whether activities on the site were started within the correct timescales, which would affect the legitimacy of any “extant” permission. We have not, so far, seen a convincing audit trail of decision-making, which might not be subject to legal challenge. There are also a number of anomalies in the process under which this application has been considered which do not inspire confidence.

### **REQUEST FOR REFUSAL**

39. We believe you have the power under Section 42 (b) of the Town and Country Planning (Scotland) Act 1997 (as amended) to maintain the existing conditions under which the permission was previously granted i.e. for 20 years to expire in 2011. This is confirmed in paragraph 76 of the Committee Report: *“if they decide that planning permission should be granted subject to the same conditions as those subject to which the previous permission was granted, they shall refuse the application.”*

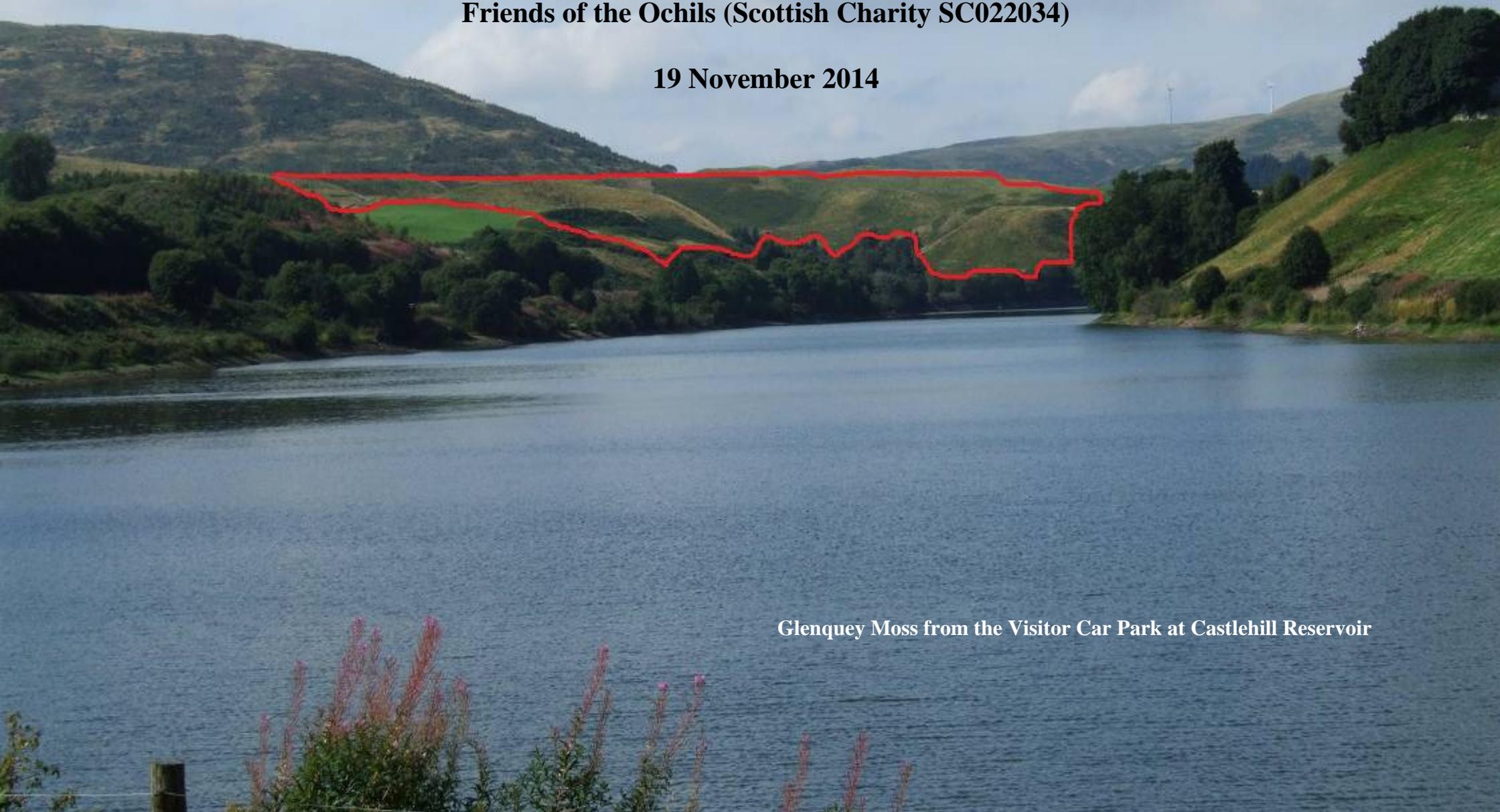
**WE RESPECTFULLY REQUEST THAT THE DEVELOPMENT MANAGEMENT COMMITTEE REFUSE THE APPLICATION ON THE FOLLOWING GROUNDS:**

- It does not properly balance a number of key Local Development Plan policies;
- The application is based upon an inadequate and flawed Environmental Statement, which could result in a breach of EU legislation;
- A number of **material considerations** have arisen since this historic permission was first granted and have not been addressed in the Committee Report;
- There is also considerable doubt about the legality and status of the so-called “extant” permission and about some of the processes involved in determining the application.

**Submitted by:**

**“Stop the Quarry: Save Glenquey” Campaign and  
Friends of the Ochils (Scottish Charity SC022034)**

**19 November 2014**



**Glenquey Moss from the Visitor Car Park at Castlehill Reservoir**

## **APPENDIX A: MINERALS.**

**Market Requirement.** Since the original planning permission was granted in 1964, there has been no commercial exploitation of the site over a period of 49 years. This suggests there has been no demand for the aggregates from this site within the market area over this period.

*The Scottish Aggregates Survey 2005 (2007) notes that: “The demand for aggregates in each geographical part of Scotland varies considerably and is likely to be influenced by development pressures in areas with high population density where access to suitable local resources is often restricted. Market areas are generally set in relation to the economic viability of transporting the resource. This effectively means that in certain areas, particularly in the central belt, market areas will extend beyond local authority boundaries whilst in some rural areas local resources will be used in the main to satisfy local needs”.*

**Alternative Sources.** There appears to have been no consideration of alternative sources which could serve the same market and the 10-year landbank. The applicant company currently operates other active sand and gravel quarries in Lanarkshire, Midlothian, Borders, Fife and Perth – all much closer to the main market areas of Central Scotland. . Four of the applicant’s alternative sites - *Loanleven, Almondbank, Perth; Collessie, Ladybank, Fife; Temple, Midlothian; Hyndford, Lanark* - are located within the 50 km nominal delivery radius, There are additional quarries, not owned by the applicant, which also serve the Central Scotland market. - *Balado, Kinross; Tulliallan, Fife; Cambusmore, Callander* - serving the same area.

**Ten-Year Landbank.** This approach is intended to ensure that a stock of reserves, with planning permission, is maintained to ensure adequate supplies of minerals over a minimum 10 year period based on current production levels. No evidence has been submitted to justify the inclusion of Glenquey Moss in a 10-year landbank. No estimate has been provided of the volume of aggregates required over this period, the variations in the economic cycle and the target percentage of recycled

aggregates to be used. SEPA estimates that 20% of Scotland's demand is currently met with recycled aggregates and the Aggregates Levy, introduced in 2002, is designed to increase this percentage and meet national targets for waste reduction.

The Scottish Government's view is that city-regions for the four largest cities should form the principal market areas for the provision of aggregates. Authorities in these regions should work together to provide a landbank of permitted reserves equivalent to a minimum 10 years extraction at all times for the appropriate part of the city-region market area. This requirement also extends to some adjoining local authorities, particularly in the Central Belt, where their output contributes to the main market area in the city regions.

This cross-border flow of aggregates is already apparent in the Perth and Kinross area. *The Scottish Aggregates Survey, 2005 (2007)* noted that, in 2005, the combined Tayside and Fife survey area produced 1.813 million tonnes of sand and gravel. Of this only 80% was consumed within the area, 20% was exported to other areas and another 10% was imported from other areas. The associated tables confirmed that the flow of sand and gravel in East Central Scotland is from the neighbouring South of Scotland, Tayside and Fife and West Central Scotland regions. Elsewhere, the figures show that flows between neighbouring regions are common and highlight the need to adopt a cautionary approach when identifying "market" areas.

This suggests that the area of search for a 10-year landbank is no longer restricted to within the borders of the Perth and Kinross Local Development Plan, but can encompass a wider area. There is no evidence of consultation between adjacent local authorities, nor any clarity that this site has been, or still is, required for a 10-year landbank for the Central Scotland market area.

**THE APPLICANT HAS NOT CONSIDERED ANY ALTERNATIVE SITES AND WE CANNOT AGREE WITH THE ASSERTION THAT "IT MAKES BOTH ECONOMIC AND ENVIRONMENTAL SENSE TO CONTINUE THE CONSENT RATHER THAN RELEASE A NEW GREENFIELD SITE ELSEWHERE", NOR THAT "THE NEED FOR THE DEVELOPMENT HAS BEEN SATISFACTORILY JUSTIFIED"**