

North East Planning Committee – Blended Meeting

JP Court Room, County Buildings, Cupar

Wednesday 8 October 2025 - 1.30 pm



AGENDA

Page Nos.

1. **APOLOGIES FOR ABSENCE**
2. **DECLARATIONS OF INTEREST** – In terms of Section 5 of the Code of Conduct, members of the Committee are asked to declare any interest in particular items on the agenda and the nature of the interest(s) at this stage.
3. **MINUTE** – Minute of Meeting of North East Planning Committee of 10 September 2025. 3 – 4
4. **25/00591/FULL - LAND ADJACENT TO THE WEST OF 33 KIRK ROAD NEWPORT ON TAY** 5 – 18

Change of use of land to allow siting of mobile sauna unit and associated works.
5. **25/01360/FULL - ELIE HOLIDAY PARK EASTER GRANGE EARLSFERRY** 19 – 32

Change of use of land to allow siting of mobile sauna unit and associated works (retrospective).
6. **25/00417/EIA - BALMULLO QUARRY, LUCKLAW QUARRY ROAD, LUCKLAW** 33 – 110

EIA application for the First Periodic Review of Planning Conditions of Mineral Permission 05/00835/EEIA - ROMP application under Section 74 of the Town and Country Planning (Scotland) Act 1997.
7. **APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.**

<https://www.fife.gov.uk/kb/docs/articles/planning-and-building2/planning/planning-applications/weekly-update-of-applications2>

Members are reminded that should they have queries on the detail of a report they should, where possible, contact the report authors in advance of the meeting to seek clarification.

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1 October 2025

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BLENDED MEETING NOTICE

This is a formal meeting of the Committee and the required standards of behaviour and discussion are the same as in a face to face meeting. Unless otherwise agreed, Standing Orders will apply to the proceedings and the terms of the Councillors' Code of Conduct will apply in the normal way

For those members who have joined the meeting remotely, if they need to leave the meeting for any reason, they should use the Meeting Chat to advise of this. If a member loses their connection during the meeting, they should make every effort to rejoin the meeting but, if this is not possible, the Committee Officer will note their absence for the remainder of the meeting. If a member must leave the meeting due to a declaration of interest, they should remain out of the meeting until invited back in by the Committee Officer.

If a member wishes to ask a question, speak on any item or move a motion or amendment, they should indicate this by raising their hand at the appropriate time and will then be invited to speak. Those joining remotely should use the "Raise hand" function in Teams.

All decisions taken during this meeting, will be done so by means of a Roll Call vote.

Where items are for noting or where there has been no dissent or contrary view expressed during any debate, either verbally or by the member indicating they wish to speak, the Convener will assume the matter has been agreed.

There will be a short break in proceedings after approximately 90 minutes.

Members joining remotely are reminded to have cameras switched on during meetings and mute microphones when not speaking. During any breaks or adjournments please switch cameras off.

THE FIFE COUNCIL - NORTH EAST PLANNING COMMITTEE – BLENDED MEETING

JP Court Room, County Buildings, Cupar

10 September 2025

1.30 pm – 2.00 pm

PRESENT: Councillors Jonny Tepp (Convener), Al Clark, Alycia Hayes, Stefan Hoggan, Gary Holt, Louise Kennedy-Dalby, Allan Knox, Jane Ann Liston, Donald Lothian, David MacDiarmid and Ann Verner.

ATTENDING: Alastair Hamilton, Service Manager Development Management and Petra Surplus, Planning Assistant, Development Management; Steven Paterson, Legal Team Manager, Planning and Environment and Diane Barnett, Committee Officer, Legal and Democratic Services.

APOLOGIES FOR ABSENCE: Councillors John Caffrey, Sean Dillon, Margaret Kennedy and Robin Lawson.

261. DECLARATIONS OF INTEREST

No declarations of interest were submitted in terms of Standing Order No. 22.

262. MINUTE

The committee considered the minute of the meeting of the North East Planning Committee of 13 August 2025.

Decision

The committee approved the minute.

263. 24/03204/FULL - KILSPINDIE, BANK STREET, ELIE

The committee considered a report by the Head of Planning Services relating to an application for the erection of a dwellinghouse and associated works (demolition of an existing dwelling).

Decision

The committee approved the application subject to the seven conditions and for the reasons detailed in the report.

264. 24/03202/CAC - KILSPINDIE, BANK STREET, ELIE

The committee considered a report by the Head of Planning Services relating to an application for conservation area consent for the complete demolition of a dwellinghouse in a conservation area.

Decision

The committee approved the application subject to the two conditions and for the reasons detailed in the report.

265. 25/01285/FULL - SANDBANK LIBERTY, ELIE

The committee considered a report by the Head of Planning Services relating to an application for extensions and alterations to a dwellinghouse.

Decision

The committee approved the application subject to the two conditions and for the reasons detailed in the report.

266. APPLICATIONS FOR PLANNING PERMISSION DEALT WITH UNDER DELEGATED POWERS.

Decision

The committee noted the list of applications dealt with under delegated powers since the previous meeting.

Committee Date: 8 October 2025

Agenda Item No. 4

Application for Full Planning Permission

Ref: 25/00591/FULL

Site Address:	Land Adjacent to the West of 33 Kirk Road, Newport on Tay
Proposal:	Change of use of land to allow siting of mobile sauna unit and associated works
Applicant:	Mr Jon-Paul Kitching, 1 The Paddock Letham Farm
Date Registered:	21 March 2025
Case Officer:	Matthew Don
Wards Affected:	W5R17: Tay Bridgehead

Reasons for Referral to Committee

This application requires to be considered by the Committee because the application has attracted six or more separate individual representations which are contrary to the officer's recommendation.

Summary Recommendation

The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

This application relates to a parcel of land located off of Kirk Road within the settlement boundary of Newport-on-Tay as defined by Adopted FIFEplan (2017). The area of land, is located nearby to Forgan Arts Centre in an area of established mature woodland, it can be accessed from Kirk Road up steps on a pedestrian path. The surrounding area comprises of heavily residential natural stone/slate traditional properties to the North, more modern houses by Forgan Way with white render, and notably the site is within a walkable vicinity to community asset Waterstone Crook a sports and leisure centre.

1.1.2 LOCATION PLAN



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1.2 The Proposed Development

This application is for change of use of land to allow the siting of a commercial mobile sauna unit and associated works. The sauna would have the capacity for 6-8 persons at any one time. It would be a mobile unit, that would be finished with charred timber vertical cladding and decking timber boards, anthracite aluminium framed single pane windows, and a pitched aluminium roof with a stainless-steel flue. The unit's dimensions would be 6.4 metres in length by 3 metres in height with the flue extending 3.6 metres in height. The hours of operation would be Tuesday (2pm-8pm), Wednesday (10am-1pm) (2-4pm) , Thursday (11 am –1 pm)(2-8pm), Friday (12pm-7pm) and Saturday (9am-12pm)(1pm-4pm). The hours of operation have been reduced to reflect hours more in keeping with the character of the area.

1.3 Relevant Planning History

There is no relevant planning history for this application.

1.4 Application Procedures

1.4.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that with respect to any buildings or other land in a conservation area, special attention

shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

1.4.2 National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan. In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the now adopted NPF4 and the adopted FIFEplan LDP 2017.

1.4.3 A physical site was undertaken on the 13th of May 2025 in relation to the assessment of this application. The site visit included the applicant and a member of Fife Council Public Protection services to see the site in relation to nearby residential properties and discuss the issues of air quality

1.5 Relevant Policies

National Planning Framework 4 (2023)

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 3: Biodiversity

To protect biodiversity, reverse biodiversity loss, deliver positive effects from development and strengthen nature networks.

Policy 13: Sustainable transport

To encourage, promote and facilitate developments that prioritise walking, wheeling, cycling and public transport for everyday travel and reduce the need to travel unsustainably.

Policy 14: Design, quality and place

To encourage, promote and facilitate well designed development that makes successful places by taking a design-led approach and applying the Place Principle.

Policy 15: Local Living and 20 minute

neighbourhoods

To encourage, promote and facilitate the application of the Place Principle and create connected and compact neighbourhoods where people can meet the majority of their daily needs within a reasonable distance of their home, preferably by walking, wheeling or cycling or using sustainable transport options.

Policy 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

Policy 26: Business and industry

To encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses

Adopted FIFEplan (2017)

Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals and address their individual and cumulative impacts.

Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life.

Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

National Guidance and Legislation

Supplementary Guidance

Supplementary Guidance: Making Fife's Places (2018)

- Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

Supplementary Guidance: Low Carbon Fife (2019)

-Low Carbon Fife Supplementary Planning Guidance provides guidance on assessing low carbon energy applications demonstrating compliance with CO2 emissions reduction targets and district heating requirements; requirements for air quality assessments

Planning Policy Guidance

National Planning Framework 4 (NPF4) (2023)

Adopted FIFEplan (2017)

Other Relevant Guidance

PAN 1/2011 Planning and noise

2.0 Assessment

2.1 Relevant Matters

The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design and Layout/Visual Impact
- Residential Amenity
- Transportation/Road Safety
- Flooding and Drainage
- Air Quality
- Natural Heritage
- Sustainability

2.2 Principle of Development

2.2.1 NPF4 (2023) Policy 26 (Business and industry) part (a), (b) and (c) is applicable in this instance where the development proposals for businesses uses on sites allocated within the LDP will be supported; micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses. Development proposals for businesses will be supported where they are compatible with the primary business function of the area, or neither prejudice the primary function of the area and compatible with the business/industrial character of the area. Policy 30 (Tourism) part (b) and (d) (although relating to a 'hut') are applicable in this instance. Part (b) states that tourism related proposals will take into account:

- i. The contribution made to the local economy;
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;
- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v. Accessibility for disabled people;
- vi. Measures taken to minimise carbon emissions;
- vii. Opportunities to provide access to the natural environment

Whereas part (d) states that proposals for huts will be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.

2.2.2 Adopted FIFEplan (2017) Policy 1 (Development Principles) states that the principle of development will be supported if it is either within a defined settlement boundary and compliant with the policies for the location; or in a location where the proposed use is supported by the Local Development Plan. In this instance, the proposal is within the settlement boundary of Newport-on-Tay as defined by Adopted FIFEplan (2017) and therefore, there is a presumption on favour of development.

2.2.3 Two letters of representation have been received for this application stating that the proposal will provide social, health and well-being benefits, and the knock on economic benefits and regeneration of the settlement.

2.2.4 Three letters of objection have been received that state that the location is un-suitable considering the area is residential.

2.2.5 In this instance, the proposed unit would be a moveable mobile structure, suitably scaled that (dimensions of 6.4 metres in length by 3 metres in height with the flue extending 3.6 metres in height) is set back from Kirk Road and is an appropriate land use in this local context as although it is located within an area that is primarily residential. Third party concerns regarding the location being inappropriate is a valid concern for the residents of Kirk, however, the area is heavily wooded and suitably screened by vegetation and the proposal's leisure/recreation use would complement the area. It would be in an enclosed area out of site. A significant part of the assessment of this proposal and the basis concern relates to the impact on the air quality of wood log burning stove, however, through continued dialogue with the applicant and Public Protection team, there have been amendments to the scheme to include the electrification of the stove system, whereby the system would remain odourless (further elaborated in section 2.7.5). Further considerations would be the impact of the increased noise levels (further elaborated in section 2.4.3) and has been considered that the proposed use would fall within sociable hours and would therefore be acceptable. Although located within the settlement boundary in an area that is residential, there are also leisure and recreation uses within the surrounding area, and the small-scale proposed sauna use would provide its users with access to a natural environment. In this regard the proposal is considered to comply with NPF4 (2023) Policy 26 (Business and industry) and Policy 30 (Tourism); and Adopted FIFEplan (2017).

2.3 Design And Layout / Visual Impact

2.3.1 The proposal is for the siting and installation of a moveable small scale sauna unit of typical design. The proposed sauna would be 6.4 metres in length by 3 metres in height with the flue extending 3.6 metres in height. It would be finished with charred timber vertical cladding and decking timber boards, anthracite aluminium framed single. The design and visual implications of the structure have been assessed with regard to the proposed location in the Local Landscape Area and in the context of NPF4 (2023) Policy 14 (design, quality and place), NPF4 (2023) Annex D- Six Qualities of Successful Places; Adopted FIFEplan (2017) Policy 1 (Development Principles), Policy 13 (Natural Environment and Access) and Making Fife's Places – Supplementary Guidance (2018).

2.3.2 NPF4 (2023) Policy 14 (Design, quality and place) part (a) states that development proposals will be designed to improve the quality of an area whether in urban or rural location and regardless of scale. Part (b) states that development proposals will be supported where they are consistent with the six qualities of successful places (healthy, pleasant, connected, distinctive, sustainable, adaptable)

2.3.3 Adopted FIFEplan (2017) Policy 1 (Development Principles) will support developments that are within the settlement boundary; Policy 10 (Amenity) states that development that leads to a detrimental impact to amenity regarding the visual impact of the development on the surrounding area will not be supported.

2.3.4 It is considered that the proposed development would be acceptable and would be in accordance with NPF4 (2023), Adopted FIFEplan (2017), and other related guidance in that the unit is a moveable structure located within an area that is visually screened from the foliage of mature trees. The unit is small scale and suitably externally finished with quality cladding

material that would be considered to comply with the surrounding natural setting and be compliant with NPF4 (2023) and Adopted FIFEplan (2017).

2.4 Residential Amenity

2.4.1 Impact of daylighting, overshadowing, overlooking and increased noise, has been considered in full accordance with NPF4 (2023) Policy 14 (Design, quality and place) part ((c), Policy 16 (Quality homes) (g)(ii); Adopted FIFEplan Policy 10 (Amenity), PAN 1/2011 Planning and noise, BRE Site Layout for daylight and sunlight: a guide to good practice (BR209)(2022).

2.4.2 Eight letters of representation have been made regarding the impact onto nearby residential properties regarding increased nuisance of odours emitted from the sauna smoke, the impact of increased noise disturbance, and the potential for increased overlooking impact. Of the eight letters of representation regarding the impact of residential amenity:

- Eight letters of representation have been received regarding increased noise disturbances
- Three letters of representation have been received regarding the potential for overlooking onto residential properties
- Two letters of objection have been received regarding impact of increased odours

2.4.3 Issues of noise have been considered and in this instance would be considered to be acceptable. The area is heavily wooded and would act in a way of natural buffer of decibel levels. The character of the area is also consistent with loud events occasionally, however, in this particular instance there is a modest sauna unit proposed that would house up to 6-8 persons at any one time during appropriate hours and would not be considered to be an issue. Public Protection have also been aware of the proposal and have not raised any issue to this regard, and should there be a nuisance of nose disturbance then Public Protection would be obliged to investigate further and potentially impose action upon the commercial enterprise.

2.4.4 Issues of odour emissions nuisance has been considered and would be acceptable in this instance. This is further elaborated below (in section 2.7.5) by consideration by the Land and Air Quality Team for the impact on air quality. However to summarise, the adoption of an electric burning stove internally within the sauna unit would mean that there would not be an issue of odour emission onto nearby sensitive receptor residential units.

2.4.5 Due to the height and distance of the sauna from neighbouring caravans there is no overshadowing or overlooking issue.

2.4.6 The residential amenity impact of the proposal has been assessed and would be considered to be acceptable in meeting the requirements of NPF4 (2023) and Adopted FIFEplan (2017) and other relevant amenity protection related guidance.

2.5 Transportation/Road Safety

2.5.1 Impact of road access and parking provision has been considered in full accordance with NPF4 (2023) Policy 13 (Sustainable transport) and Policy 18 (Infrastructure first); Adopted FIFEplan (2017) Policy 1 (Development Principles), Policy 3 (Infrastructure and Services) and Making Fife's Places – Supplementary Guidance: Appendix G (2018). Transportation Development Management colleagues have not been consulted on this application.

2.5.2 Policy 13 (b) of NPF4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- Will be accessible by public transport, ideally supporting the use of existing services;
- Integrate transport modes;
- Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- Adequately mitigate any impact on local public access routes

Policy 18 (Infrastructure first) (b) states that impacts of development proposals on infrastructure should be mitigated and material considerations must be addressed in order to be acceptable. Policy 30 (b) of NPF4 states that proposals for tourism related development will take into account opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas.

2.5.3 Adopted FIFEplan (2017) Policy 1 (Development Principles) Part C states that development proposals must provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 (Infrastructure and Services) developments must address any impacts on road safety and ensure the design implements the correct level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 (Amenity) states that development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.5.4 Nine letters of objection have been received regarding the impact on road safety considering Kirk Road is a heavily congested road with single file lane traffic considering the character of on-street parking, and the proposed sauna use in this location would further exacerbate the congestion on Kirk Road and Alma Terrace and impacting the road safety and pedestrian safety. There have also been there concerns relating to the access to the site through a single pedestrian gate, without any formal vehicle access (and/or access for persons with disabilities). Of the nine letters of representation received regarding road safety:

- Eight letters of objection have been received regarding the increased reliance on on-street parking on Kirk Road.
- Four letters of objection have been received regarding the increased congestion Kirk Road
- Two letters of objection have been received regarding the access being inadequate

- Two letters of objection have been received stating the site is not accessible for disabled persons
- One letter of objection has been received stating that site cannot be accessed by emergency services

2.5.5 Transportation Development Management (TDM) colleagues have been consulted on and have objected to the proposal on the grounds of increased on-street parking and result in detriment to road safety.

2.5.6 In this instance it is recognised that Kirk Road experiences high levels of traffic congestion. However, it is considered that there is sufficient public parking at Waterstone Crook that can serve the development for this small-scale enterprise. The site can be accessed from three vantage points (Forgan Way, Alma Terrace and Kirk Road), there is no feasible access of vehicles for the site other than through Forgan Way, and the Forgan Arts Centre, which may cause other issues of access nearby to residential properties. It has been proposed to utilise a gated pedestrian access where there are two off-street parking spaces. These spaces are currently used for residential purposes are actually within the land holding of the applicant's title deeds. There is no formal access for persons with disabilities, or emergency vehicles however, it is only slightly off of Kirk Road. Considering there is sufficient parking within the area, issues of road safety including parking and congestion are considered to be acceptable in this instance. The issues of access, while unfortunate, are not considered grounds enough to refuse the application on road safety (access) issues. Therefore, it is considered that there would not be a detriment to the road safety of the surrounding road network and is acceptable in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

2.6 Natural Heritage and Trees

2.6.1 Natural heritage impacts have been considered for this application in accordance with NPF4 (2023) Policy 1 (Sustainable Places), Policy 3 (Biodiversity), Policy 4 (Natural places), Policy 6 (Forestry, woodland and trees), Policy 20 (Blue and green infrastructure); Adopted FIFEplan (2017) Policy 1 (Development Principles) and Policy 13 (Natural Environment and Access) and would be considered to be acceptable.

2.6.2 NPF4 (2023) Policy 1 (Sustainable Places) states that significant weight must be given to the nature crisis when considering development. Policy 3 (Biodiversity) (d) states that adverse impacts (including cumulative impacts) on biodiversity as a result of development will be minimised through careful planning and design. Policy 4 (Natural places) (a) states that development of a type, location or scale in with a negative impact on the natural environment will not be supported. Policy 6 (Forestry, woodland and trees) (b) (i) and (ii) state that loss of ancient woodlands, ancient and veteran trees, native woodland, hedgerows and individual trees of high biodiversity value are not supported for development proposals. Policy 20 (Blue and green infrastructure) (a) states that the loss of green infrastructure must demonstrate that there is not a deficit, and the overall integrity of the green network is maintained.

2.6.3 Adopted FIFEplan (2017) Policy 1 (Development Principles) Part B states development proposals must address impact by complying with following relevant criteria and supporting policies and safeguard the character and qualities of the landscape. Policy 10 (Amenity) must demonstrate the development does not lead to increased detriment regarding the loss of green networks, protected trees and woodland. Policy 13 (Natural Environment and Access) states development proposals will only be supported where they protect or enhance natural heritage including designated sites of international and national importance, including Sites of Special Scientific Interest; designated sites of local importance, including Local Wildlife Sites, biodiversity in the wider environment; protected and priority habitats and species; landscape

character and views; green networks and greenspaces; and core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation, trees that have a landscape, amenity, or nature conservation value.

2.6.4 Five letters of representation have been received regarding the impact on species (red squirrels, woodpeckers, deer, hedgehogs, owls) habitat within the area.

2.6.5 One letter of objection has queried the need for the requirement of an Environmental Impact Assessment. This has been addressed while registering the application in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 which concluded that an EIA application was not necessary given the type, scale and site location nor would the application have to go through the EIA process given the development proposed would not exceed a site area of 0.5 hectares.

2.6.6 One general comment letter has queried the requirement for a Tree Survey to be conducted considering the woodland within the area. There are no works to trees proposed and therefore there is no requirement for a tree survey.

2.6.7 Fife Council's Natural Heritage Officer has been consulted on this application and has stated that if the works can be inserted into the proposed site without the removal of any trees or other tree works then there are no Natural Heritage objections to the proposal. Furthermore, general waste from the operations of the site must correctly be disposed of.

2.6.8 In this instance the sauna unit would be placed on the site rather than built onto concrete foundations. Therefore, there is no active intervention with the ground and it is considered that there would not be any natural heritage impact in this regard, with no works to the trees. The odourless heating system would further emphasise no harm to animal species within the area. Therefore, with the support of the Natural Heritage Officer, it has been considered that the proposal would be considered to be acceptable on the impact of natural heritage and would be acceptable in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

2.7 Air Quality

2.7.1 Impact of the Air Quality from the proposal would be assessed against NPF4 (2023) Policy 23, Adopted FIFEplan (2017) Policy 10 (Amenity).

2.7.2 NPF4 (2023) Policy 23 (Health and safety) part (d) states that development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

2.7.3 Adopted FIFEplan (2017) Policy 10 (Amenity) states that Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to air quality, with particular emphasis on the impact of development on designated Air Quality Management Areas. Development proposals that lead to a breach of National Air Quality Standards or a significant increase in concentrations within an Air Quality Management Area will not be supported.

2.7.4 Nine letters of objection have been received that make reference to the air quality of nearby residential properties being harmed as a result of the wood burning stove within this location.

2.7.5 Land and Air Quality team had been consulted on this application and have raised concern on the application and the impact of the odours/smoke and air particulates onto third party residential properties. The hours were drastically reduced so as that the commercial operations would not harm third party properties, however, there was still a statutory disturbance identified by Land and Air Quality team, and therefore, their objection remained. The applicant has therefore explored alternative options of heating the sauna unit. The proposal is to do so by running an electrical cable line to the unit and electrifying the stove system. Therefore, with no requirement for wood burning fuels, the concern of impacted air quality is now acceptable considering the removal of the wood burning stove and in accordance with NPF4 (2023) Adopted FIFEplan (2017). A condition has been added to the recommendation to restrict the heating method to electrical power.

2.8 Flooding And Drainage

2.8.1 NPF4 (2023) Policy 22; Adopted FIFEplan (2017) Policies 1, 3 and 12 and Fife Council Design Criteria Guidance on Flooding and Surface Water Management Plan Requirements (2022) apply in this regard.

2.8.2 Policy 22 (Flood risk and water management) Section (c) (i) and (ii) states that development proposals will not increase risk of surface water flooding to others or itself be at risk. Furthermore, all rain and surface water will be managed through Sustainable Urban Drainage (SUDS), and integrate with existing blue and green infrastructure and presume no connection to the combined sewer.

2.8.3 Adopted FIFEplan (2017) Policies 1 (Development Principles) and 3 (Infrastructure and Services) where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include foul and surface water drainage, including Sustainable Urban Drainage Systems (SUDS). Policy 12 (Flooding and the Water Environment) states that development proposals will be supported were they can demonstrate they will not, individually or cumulatively increase flooding or flood risk from all sources (including surface water drainage measures) on the site or elsewhere; reduce the water conveyance and storage capacity of a functional flood plain; detrimentally impact on ecological quality of the water environment, including its natural characteristics, river engineering works, or recreational use and detrimentally impact on future options for flood management.

2.8.4 Ten letters of representation have made reference to the sauna not having adequate drainage of an outdoor shower head.

2.8.5 The site is outwith an area of annual surface water flooding, and a fluvial 1 in 10 year or 1 in 200 year flood risk event zone. Therefore, the development would not itself be a risk of flooding or increase the risk of flooding elsewhere. The small scale nature of the shower head, used for customers rinsing themselves after sauna use, would not warrant full investigations into drainage details. Therefore, the proposal would be considered acceptable in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

2.9 Sustainability

2.9.1 NPF4 (2023) Policy 1 and 2; Adopted FIFEplan (2017) Policies 1 and 11 and Fife Council Low Carbon Fife Supplementary Guidance (2019) apply in this regard.

2.9.2 There are no requirements for foundations considering the temporary nature of the development - reducing the associated embodied carbon footprint of this aspect of development. Initially, the proposal was to include a sustainable resource of burning kiln dried logs to heat the sauna. However, upon the rise of concerns regarding smoke odours and the proximity to nearby residential properties raised by Fife Council Public Protection colleagues and objector comments the wood burning stove has been opted for an electrical system as an effective way to address the air quality issue. Where possible the applicant would use local, sustainable and ethically acceptable materials where possible. Waste associated with the sauna use will be removed from the site daily. Therefore, It is considered that the proposal would comply with NPF4 (2024), Adopted FIFEplan (2017) and other related guidance regarding Low Carbon impact.

3.0 Consultation Summary

Natural Heritage, Planning Services	No Objection – subject that no trees are removed or tree works for the scheme, and general good practice disposal of site waste
TDM, Planning Services	Object – lack of off-street parking would lead to detriment of road safety
Land And Air Quality, Protective Services	Objection – object to the wood burning stove in residential area

4.0 Representation Summary

4.1 One general comment, two letters of support, and 13 letters of objection have been received for this application.

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Drainage of the shower outdoor shower head	2.8.5
b. Air Quality impact of the (since removed) wood burning stove	2.7.5
c. Road Safety – access, parking and congestion. Increased risk to road users and pedestrians	2.5.6
d. Residential Amenity – overlooking, noise and odours nuisance and disturbance	2.4.3 & 2.4.4

Issue	Addressed in Paragraph
e. Natural Heritage – impact on animal species, requirement for EIA and Tree Survey	2.6.5, 2.6.6 & 2.6.8
f. Principle of Development – out of keeping the character of the area	2.2.6

4.2.2 Support Comments

Issue
a. Principle of Development – regeneration of the settlement, economic benefit, health and wellbeing and social benefits

4.2.3 Other Concerns Expressed

Issue	Comment
a. Access onto the site is through private land	The land ownership is not an issue with the determination of the planning. Title deeds have been presented indicating rightful ownership.

5.0 Conclusions

The proposal is an acceptable form of land use compliant with the surroundings in accordance with NPF4 (2023) and Adopted FIFEplan (2017). Continued dialogue has amended controversial wood burning aspect that would cause potential harm to third party nearby residential properties. The unit is also a temporary/ mobile structure that is suitably scaled and finished to respect the site and its surrounding natural environment, and the proposal would be considered to be an acceptable form of land use compliant with the surroundings in accordance with NPF4 (2023) and Adopted FIFEplan (2017)

6.0 Recommendation

It is accordingly recommended that the application be approved subject to the following conditions and reasons:

CONDITIONS:

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. FOR THE AVOIDANCE OF DOUBT, should the mobile sauna hereby approved be unused for a period of 6 or more continuous months, then the unit and any ancillary elements associated with the facility shall be completely removed and the land naturally restored to its former condition unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of protecting the local environment and visual qualities of the locality and to ensure the unit and ancillary associated elements are removed should the proposal become redundant.

3. The hours of operation of the development hereby approved shall be restricted to between Tuesday (2pm-8pm), Wednesday (10am-1pm) (2-4pm) , Thursday (11 am –1 pm)(2-8pm), Friday (12pm-7pm) and Saturday (9am-12pm)(1pm-4pm). No operations or activity shall take place at any time on a Sunday, unless otherwise agreed in writing with Fife Council as Planning Authority.

Reason: In order to protect the amenity of adjoining and nearby residents.

4. The sauna facility hereby approved shall utilise electric power to heat the building and for the sauna stove itself, as agreed with the applicant. PRIOR TO WORKS COMMENCING ON-SITE exact details of the proposed electric stove and electric heating system shall be submitted for the prior written approval of this planning authority.

Reason: In order to protect the amenity of adjoining and nearby residents.

7.0 Background Papers

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Report prepared by Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager (Committee Lead) 29/9/25

Committee Date: 08.10.25

Agenda Item No. 5

Application for Full Planning Permission

Ref: 25/01360/FULL

Site Address: Elie Holiday Park Easter Grange Earlsferry

Proposal: Change of use of land to allow siting of mobile sauna unit and associated works (retrospective)

Applicant: Wild Scottish Sauna, Middleacre, Cupar Road

Date Registered: 23 May 2025

Case Officer: Matthew Don

Wards Affected: W5R19: East Neuk And Landward

Reasons for Referral to Committee

This application requires to be considered by the Committee because the application has attracted six or more separate individual representations which are contrary to the officer's recommendation.

Summary Recommendation

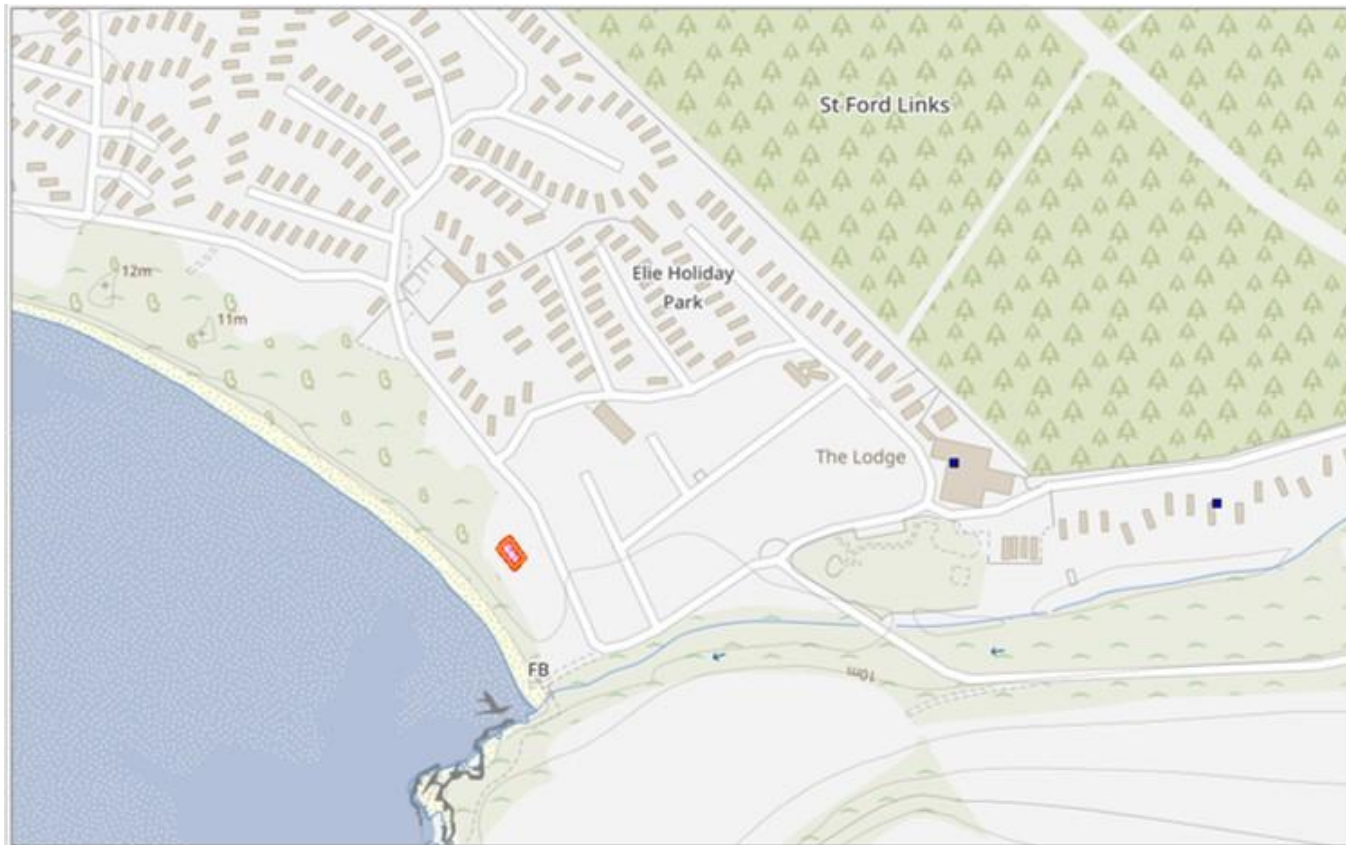
The application is recommended for: Conditional Approval

1.0 Background

1.1 The Site

This application relates to a parcel of land located on the foreshore of the Firth of Forth and is located within the countryside as defined by the Adopted FIFEplan – Fife Local Development Plan (2017). The site is located approximately 1.2 miles (1.9 km) Northwest of Elie & Earlsferry. The coastal site consists of grassy plains/dune and is located to the west of a large holiday park near to the sandy beach. The site is located on an area of maintained grassland within the Kilconquhar Local Landscape Area and is within 40-50 metres of the foreshore of the Firth of Forth which is also an area of Special Protection Area (SPA), Site of Special Scientific Interest (SSSI) and a RAMSAR site in terms of ecological designated sites. Access to the site would be from an internal access road within the holiday park and access to the beach from the site would be via an established footpath.

1.1.2 LOCATION PLAN



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1.2 The Proposed Development

This application is for retrospective permission for the change of use of land to allow the siting of a commercial mobile sauna unit and associated works. The sauna would be a mobile unit and would be finished with cedar horizontal cladding, with a black roof with large flue and anthracite coloured framed double-glazed door on the West elevation and two single pane windows on the South elevation. The unit's dimensions would be 3 metres in height by 1.9 metres in width by 4.7 metres in length. The hours of operation would be 5 days per week from 10 am - 4 pm during winter/spring months, and 9am - 6pm in the summer months. The unit would be managed and cleaned regularly on a daily basis.

1.3 Relevant Planning History

03/01337/EFULL - Use of land to site portable hospitality unit (including toilets, office and bar facility) (temporary period) – Conditional Approval (08/05/03)

03/03338/EFULL - Erect single storey extension to caravan park clubhouse – Conditional Approval (24/11/03)

04/02988/EFULL - Install water tank and enclosure – Unconditional Approval (04/10/04)

05/01728/EFULL - Siting of holiday chalet (suitable for disabled access) – Conditional Approval (12/07/05)

05/03407/EFULL - Construct replacement toilet – Conditional Approval (17/10/05)

14/03784/FULL - Extension to amenity building to provide Class 3 restaurant, two Class 1 units and additional storage space – Conditional Approval (08/01/15)

1.4 Application Procedures

1.4.1 Under Section 25 of the Town and Country Planning (Scotland) Act 1997, the determination of the application is to be made in accordance with the Development Plan unless material considerations indicate otherwise. The Development Plan comprises of National Planning Framework 4 (2023) and FIFEplan Local Development Plan (2017). Under Section 64(1) of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997, in determining the application the planning authority should pay special attention to the desirability of preserving or enhancing the character or appearance of the relevant designated area. Section 64 of the Planning (Listed Buildings and Conservation Areas) (Scotland) Act 1997 states that with respect to any buildings or other land in a conservation area, special attention shall be paid to the desirability of preserving or enhancing the character or appearance of that area.

1.4.2 National Planning Framework 4 was formally adopted on the 13th of February 2023 and is now part of the statutory Development Plan. NPF4 provides the national planning policy context for the assessment of all planning applications. The Chief Planner has issued a formal letter providing further guidance on the interim arrangements relating to the application and interpretation of NPF4, prior to the issuing of further guidance by Scottish Ministers. The adopted FIFEplan LDP (2017) and associated Supplementary Guidance continue to be part of the Development Plan. The SESplan and TAYplan Strategic Development Plans and any supplementary guidance issued in connection with them cease to have effect and no longer form part of the Development Plan. In the context of the material considerations relevant to this application there are no areas of conflict between the overarching policy provisions of the now adopted NPF4 and the adopted FIFEplan LDP 2017.

1.4.3 Local Place Plans registered through Fife Council will not be part of the 'Development Plan' as defined by the Planning Act but will feed into the preparation of Fife's Local Development Plan 2 which is at the early stages of preparation. The Local Place Plan is a material planning consideration in the assessment of planning applications but given the early stages of LDP2 and that the Development Plan remains the starting point for decision-making in the planning process, it is considered that the material weight given to the Local Place Plan at this stage is limited and this proposal is acceptable in terms of the relevant planning policies. Elie and Earlsferry Local Place Plan (2024) has been considered, however, makes no specific reference to the impact of coastal development and therefore, there would be no information relevant to the assessment of this application.

1.4.4 This application was withdrawn from the agenda of a previous North East Planning Committee as it transpired that the redline boundary was incorrect. Subsequently, the application site plan has been amended to reflect the correct siting of the sauna and neighbouring properties re-notified.

1.4.5 A physical site visit has not been undertaken in relation to the assessment of this application. All necessary information has been collated digitally to allow the full consideration and assessment of the application, and it is considered, given the evidence and information available to the case officer, that this is sufficient to determine the proposal.

1.5 Relevant Policies

National Planning Framework 4 (2023)

Policy 1: Tackling the climate and nature crises

To encourage, promote and facilitate development that addresses the global climate emergency and nature crisis.

Policy 2: Climate mitigation and adaptation

To encourage, promote and facilitate development that minimises emissions and adapts to the current and future impacts of climate change.

Policy 10: Coastal development

To protect coastal communities and assets and support resilience to the impacts of climate change

Policy 18: Infrastructure first

To encourage, promote and facilitate an infrastructure first approach to land use planning, which puts infrastructure considerations at the heart of placemaking.

Policy 26: Business and industry

To encourage, promote and facilitate business and industry uses and to enable alternative ways of working such as home working, live-work units and micro-businesses

Policy 29: Rural development

To encourage rural economic activity, innovation and diversification whilst ensuring that the distinctive character of the rural area and the service function of small towns, natural assets and cultural heritage are safeguarded and enhanced.

Policy 9: Brownfield, vacant and derelict land

and empty buildings

To encourage, promote and facilitate the reuse of brownfield, vacant and derelict land and empty buildings, and to help reduce the need for greenfield development.

Policy 30: Tourism

To encourage, promote and facilitate sustainable tourism development which benefits local people, is consistent with our net zero and nature commitments, and inspires people to visit Scotland.

Adopted FIFEplan (2017)

Policy 1: Development Principles

Development proposals will be supported if they conform to relevant Development Plan policies and proposals, and address their individual and cumulative impacts.

Policy 3: Infrastructure and Services

Outcomes: New development is accompanied, on a proportionate basis, by the site and community infrastructure necessary as a result of the development so that communities function sustainably without creating an unreasonable impact on the public purse or existing services.

Policy 7: Development in the Countryside

Outcome: A rural environment and economy which has prosperous and sustainable communities and businesses whilst protecting and enhancing environmental quality.

Policy 10: Amenity

Outcome: Places in which people feel their environment offers them a good quality of life.

Policy 11: Low Carbon Fife

Outcome: Fife Council contributes to the Climate Change (Scotland) Act 2009 target of reducing greenhouse gas emissions by at least 80% by 2050. Energy resources are harnessed in appropriate locations and in a manner where the environmental and cumulative impacts are within acceptable limits.

Policy 13: Natural Environment and Access

Outcomes: Fife's environmental assets are maintained and enhanced; Green networks are developed across Fife; Biodiversity in the wider environment is enhanced and pressure on ecosystems reduced enabling them to more easily respond to change; Fife's natural environment is enjoyed by residents and visitors.

Supplementary Guidance

Supplementary Guidance: Making Fife's Places (2018)

- Making Fife's Places Supplementary Guidance sets out Fife Council's expectations for the design of development in Fife.

Supplementary Guidance: Low Carbon Fife (2019)

-Low Carbon Fife Supplementary Planning Guidance provides guidance on assessing low carbon energy applications demonstrating compliance with CO2 emissions reduction targets and district heating requirements; requirements for air quality assessments.

Planning Policy Guidance

National Planning Framework 4 (NPF4) (2023)

Adopted FIFEplan (2017)

Other Relevant Guidance

Elie and Earlsferry Local Place Plan + Community Action Plan (2024) [Elie & Earlsferry Local Place Plan \(2024\)](#)

PAN 1/2011 Planning and noise

BRE Site Layout for daylight and sunlight: a guide to good practice (BR209)(2022)

2.0 Assessment

2.1 Relevant Matters

The matters to be assessed against the development plan and other material considerations are:

- Principle of Development
- Design and Layout/Visual Impact
- Residential Amenity
- Transportation/Road Safety
- Flooding and Drainage
- Air Quality
- Natural Heritage
- Sustainability

2.2 Principle of Development

2.2.1 NPF4 (2023) Policy 10 (Coastal Development) Part (b) (iv) states for coastal areas that are un-developed will only be supported where they are designed to have a very short lifespan. Policy 26 (Business and industry) part (a), (b) and (c) is applicable in this instance where the development proposals for businesses uses on sites allocated within the LDP will be supported; micro-businesses will be supported where it is demonstrated that the scale and nature of the proposed business and building will be compatible with the surrounding area and there will be no unacceptable impacts on amenity or neighbouring uses. Development proposals for businesses will be supported where they are compatible with the primary business function of the area, or neither prejudice the primary function of the area and compatible with the business/industrial character of the area. Policy 30 (Tourism) part (b) and (d) (although relating to a 'hut') are applicable in this instance. Part (b) states that tourism related proposals will take into account:

- i. The contribution made to the local economy;
- ii. Compatibility with the surrounding area in terms of the nature and scale of the activity and impacts of increased visitors;
- iii. Impacts on communities, for example by hindering the provision of homes and services for local people;
- iv. Opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas;
- v. Accessibility for disabled people;
- vi. Measures taken to minimise carbon emissions;
- vii. Opportunities to provide access to the natural environment.

Whereas part (d) states that proposals for huts will be supported where the nature and scale of the development is compatible with the surrounding area and the proposal complies with relevant good practice guidance.

2.2.2 Adopted FIFEplan (2017) Policy 1 (Development Principles) states that the principle of development will be supported if it is either within a defined settlement boundary and compliant with the policies for the location; or in a location where the proposed use is supported by the Local Development Plan. In this instance, the proposal is located out with the settlement boundary of Elie & Earlsferry and would therefore be considered a countryside location. On that basis the proposal would be assessed under policy criteria 5 and 6 where development in the countryside will only be supported where it is for facilities for access to the countryside and is for facilities for outdoor recreation, tourism, or other development which demonstrates a proven need for a countryside location.

2.2.3 52 letters of support have been received for the application that highlight that the development would be highly beneficial to the surrounding area in terms of the economic benefit arising from job creation from the provision of additional tourist facilities. The health and well-being benefits of attracting people into the natural environment and the additional provision of a community asset are also cited.

2.2.4 8 letters of objection have been received stating that there are too many sauna businesses concentrated within area that would lead to a negative impact on the existing businesses.

2.2.5 In this instance, the proposed unit would be a moveable mobile structure, suitably scaled for a coastal countryside location (i.e. 3 metres in height by 1.9 metres in width by 4.7 metres in length) and is considered to be an appropriate land use in the context of its proximity to the caravan holiday park adjacent. The principle of such development has been accepted previously in other coastal and countryside locations near established leisure and tourist enterprises in Fife. The third party concerns raised relating to there being too many saunas concentrated within the area is noted, however, the development would be acceptable as it is the only sauna unit in this part of the immediate coastal area with other consented units being located in Lower Largo and Elie both some distances away. In terms of location, the proposal is also considered to be suitably sited and scaled and sufficiently distant from the shoreline not to result in an overdevelopment nor overprovision in this local coastline location. The unit would also be considered to be suitably distant (approximately 24 metres) from the nearest third-party holiday caravan units. Further to that, the proposed sauna unit would also provide access to the natural environment, would be an additional ancillary use to complement the established neighbouring holiday caravan site and can be accessed by people with disabilities. In this regard the proposal is considered to comply with NPF4 (2023) Policy 26 (Business and industry) and Policy 30 (Tourism); and Adopted FIFEplan (2017).

2.3 Design And Layout / Visual Impact

2.3.1 The proposal is for the siting and installation of a moveable small scale sauna unit. The proposed sauna would be 4.7 metres long, 1.9 metres wide and 3 metres high and would be externally finished using cedar horizontal cladding, a black roof, external flue and anthracite grey window frames. The design and visual implications of the structure have been assessed with regard to the proposed location in the Local Landscape Area and in the context of NPF4 (2023) Policy 14 (design, quality and place), 29 (Rural development), NPF4 (2023) Annex D-Six Qualities of Successful Places; Adopted FIFEplan (2017) Policy 1 (Development Principles), Policy 7 (Development in the Countryside) and Policy 13 (Natural Environment and Access) and Making Fife's Places – Supplementary Guidance (2018).

2.3.2 NPF4 (2023) Policy 14 (Design, quality and place) part (a) states that development proposals will be designed to improve the quality of an area whether in urban or rural location and regardless of scale. Part (b) states that development proposals will be supported where they are consistent with the six qualities of successful places (healthy, pleasant, connected, distinctive, sustainable, adaptable). Policy 29 (Rural development) Part (b) states that development proposals in rural areas should be suitably scaled, sited and designed to be in keeping with the character of the area.

2.3.3 Adopted FIFEplan (2017) Policy 1 (Development Principles) Part B (Criterion 7) states that must safeguard the character and qualities of the landscape. Policy 7 (Development in the Countryside) states that development must:

- be of a scale and nature compatible with surrounding uses;
- be well-located in respect of available infrastructure;
- be located and designed to protect the overall landscape and environmental quality of an area

Policy 13 (Natural Environment and Access) states development proposals will only be supported where they protect or enhance natural heritage including designated sites of landscape character views.

2.3.4 One letter of objection was received that makes reference to the over commercialization of the coastal setting that would occur should the application be approved.

2.3.5 10 letters of support have been received that make reference to the sauna unit being sited in an appropriate location which does not impact on the surrounding setting, and incorporate high quality design finishes.

2.3.6 It is considered that the proposed development would be acceptable given the small scale in the wider landscape setting and incorporate materials which are a mix of traditional and contemporary external finishes and would comply with the relevant FIFEplan and NPF4 policies on design. Furthermore the proposal would be in accordance with NPF4 (2023), Adopted FIFEplan (2017), and other related guidance in that the unit is a moveable structure located in a position that is not prominent on the coastline and is not deemed to be an ecologically protected part of the coastal environment. It is positioned on an open grassy area and visible from the north, however, would be suitably screened by vegetation from the South/ West (beach). The proposed sauna would be small in scale and suitably externally finished with quality cladding material that would be considered to comply with the surrounding natural setting. Therefore, the small-scale nature of the structure with quality finishes is compliant with NPF4 (2023) Policy 29 (Rural development and Adopted FIFEplan (2017) Policy 7 (Development in the Countryside).

2.4 Residential Amenity

2.4.1 Impact of daylighting, overshadowing, overlooking and increased noise, has been considered in full accordance with NPF4 (2023) Policy 14 (Design, quality and place) part ((c), Policy 16 (Quality homes) (g)(ii); Adopted FIFEplan Policy 10 (Amenity), PAN 1/2011 Planning and noise, BRE Site Layout for daylight and sunlight: a guide to good practice (BR209)(2022).

2.4.2 Two letters of support have been received for the application stating that the unit does not emit high levels of noise that would cause disturbance to nearby residential properties/caravans.

2.4.3 Issues of increased noise disturbance have been assessed and would be considered to be acceptable in accordance with relevant guidance. The sauna unit is located 24 metres from the nearest caravan at the Elie Holiday Park at Shell Bay. The area is an established tourism activity/leisure site and with appropriate hours of operation falling within sociable hours therefore there would be minimal noise levels associated with the proposal.

2.4.4 Issues of odour emissions nuisance has been considered and would be acceptable in this instance. This is further elaborated below (in section 2.5) by consideration by the Land and Air Quality Team for the impact on air quality.

2.4.5 Due to the height and distance of the sauna from neighbouring caravans there is no overshadowing or overlooking issue. As the neighbouring caravans are for commercial leisure use there are no privacy standards which would apply in this context.

2.4.6 The residential amenity impact of the proposal has been assessed and would be considered to be acceptable in meeting the requirements of NPF4 (2023) and Adopted FIFEplan (2017) and other relevant amenity protection related guidance.

2.5 Air Quality

2.5.1 Impact of the Air Quality from the proposal would be assessed against NPF4 (2023) Policy 23, Adopted FIFEplan (2017) Policy 10 (Amenity).

2.5.2 NPF4 (2023) Policy 23 (Health and safety) part (d) states that development proposals that are likely to have significant adverse effects on air quality will not be supported. Development proposals will consider opportunities to improve air quality and reduce exposure to poor air quality. An air quality assessment may be required where the nature of the proposal or the air quality in the location suggest significant effects are likely.

2.5.3 Adopted FIFEplan (2017) Policy 10 (Amenity) states that Development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to air quality, with particular emphasis on the impact of development on designated Air Quality Management Areas. Development proposals that lead to a breach of National Air Quality Standards or a significant increase in concentrations within an Air Quality Management Area will not be supported.

2.5.4 Land and Air Quality team have been consulted on this application and have advised that in terms of air quality, they are satisfied with the technical specifications proposed in terms of the woodburning stove. With regards to the potential for any contaminated land issues, they are satisfied that as no groundbreaking will be involved, the proposal would not raise any issues. Should any complaints of nuisance arise as a result of the development Fife Council's Environmental Health Team would investigate in consultation with Planning Services. However any of the adjacent caravans could also install woodburning stoves without requiring planning permission. Given the comments from the Fife Council Land and Air Quality team regarding the dispersal of smoke associated with the sauna the proposal would be considered acceptable and in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

2.6 Transportation/Road Safety

2.6.1 Impact of road access and parking provision has been considered in full accordance with NPF4 (2023) Policy 13 (Sustainable transport) and Policy 18 (Infrastructure first); Adopted FIFEplan (2017) Policy 1 (Development Principles), Policy 3 (Infrastructure and Services) and Making Fife's Places – Supplementary Guidance: Appendix G (2018). Transportation Development Management colleagues have not been consulted on this application.

2.6.2 Policy 13 (b) of NPF4 states development proposals will be supported where it can be demonstrated that the transport requirements generated have been considered in line with the sustainable travel and investment hierarchies and where appropriate they:

- Provide direct, easy, segregated and safe links to local facilities via walking, wheeling and cycling networks before occupation;
- Will be accessible by public transport, ideally supporting the use of existing services;
- Integrate transport modes;
- Provide low or zero-emission vehicle and cycle charging points in safe and convenient locations, in alignment with building standards;
- Supply safe, secure and convenient cycle parking to meet the needs of users and which is more conveniently located than car parking;
- Are designed to incorporate safety measures including safe crossings for walking and wheeling and reducing the number and speed of vehicles;
- Have taken into account, at the earliest stage of design, the transport needs of diverse groups including users with protected characteristics to ensure the safety, ease and needs of all users; and
- Adequately mitigate any impact on local public access routes

Policy 18 (Infrastructure first) (b) states that impacts of development proposals on infrastructure should be mitigated and material considerations must be addressed in order to be acceptable.

Policy 30 (b) of NPF4 states that proposals for tourism related development will take into account opportunities for sustainable travel and appropriate management of parking and traffic generation and scope for sustaining public transport services particularly in rural areas.

2.6.3 Adopted FIFEplan (2017) Policy 1 (Development Principles) Part C states that development proposals must provide required on-site infrastructure or facilities, including transport measures to minimise and manage future levels of traffic generated by the proposal. Policy 3 (Infrastructure and Services) developments must address any impacts on road safety and ensure the design implements the correct level of infrastructure and functions in a sustainable manner. Where necessary and appropriate as a direct consequence of the development or as a consequence of cumulative impact of development in the area, development proposals must incorporate measures to ensure that they will be served by adequate infrastructure and services. Such infrastructure and services may include local transport and safe access routes which link with existing networks, including for walking and cycling, utilising the guidance in Making Fife's Places Supplementary Guidance. Policy 10 (Amenity) states that development proposals must demonstrate that they will not lead to a significant detrimental impact on amenity in relation to traffic movements.

2.6.4 One letter of objection has been received regarding the increased strain on available parking infrastructure.

2.6.5 Two letters of support have been received that state that there is plentiful parking within the immediate vicinity with suitable access.

2.6.6 Transportation Development Management (TDM) colleagues have been consulted on this application and do not object to the proposal. It is considered that the site would be readily accessible by the public with sufficient parking within the area and the short-term booking system for the sauna use would not significantly impact the area's road network and on-street parking, therefore, considering there is no road safety impact considered by TDM colleagues would, therefore, be considered acceptable in accordance with NPF4 (2023) and Adopted FIFEplan (2017).

2.7 Natural Heritage

2.7.1 Natural heritage impacts have been considered for this application in accordance with NPF4 (2023) Policy 1 (Sustainable Places), Policy 3 (Biodiversity), Policy 4 (Natural places), Policy 20 (Blue and green infrastructure); Adopted FIFEplan (2017) Policy 1 (Development Principles) and Policy 13 (Natural Environment and Access) and would be considered to be acceptable.

2.7.2 NPF4 (2023) Policy 1 (Sustainable Places) states that significant weight must be given to the nature crisis when considering development. Policy 3 (Biodiversity) (d) states that adverse impacts (including cumulative impacts) on biodiversity as a result of development will be minimised through careful planning and design. Policy 4 (Natural places) (a) states that development of a type, location or scale in with a negative impact on the natural environment will not be supported. Policy 20 (Blue and green infrastructure) (a) states that the loss of green infrastructure must demonstrate that there is not a deficit, and the overall integrity of the green network is maintained.

2.7.3 Adopted FIFEplan (2017) Policy 1 (Development Principles) Part B states development proposals must address impact by complying with following relevant criteria and supporting policies and safeguard the character and qualities of the landscape. Policy 10 (Amenity) must

demonstrate the development does not lead to increased detriment regarding the loss of open space. Policy 13 (Natural Environment and Access) states development proposals will only be supported where they protect or enhance natural heritage and access assets including designated sites of international and national importance, including Sites of Special Scientific Interest; designated sites of local importance, including Local Wildlife Sites, biodiversity in the wider environment; protected and priority habitats and species; landscape character and views; green networks and greenspaces; and core paths, cycleways, bridleways, existing rights of way, established footpaths and access to water-based recreation.

2.7.4 Three letters of objection have been received regarding the natural heritage impact on the surrounding coastline environment with regard to the potential for the erosion of the fragile dune system and resultant coastal erosion.

2.7.5 The application has been considered in accordance with The Town and Country Planning (Environmental Impact Assessment) Regulations 2017 for the requirement of Environmental Impact Assessment and would not be required for this small scale of development that is suitably set back from the designated Special Protection Area to the South as well as the SSSI and Ramsar site).

2.7.6 The proposed siting of the sauna approximately 40-50 metres distant from the foreshore (which also marks the boundary of the SPA, SSSI, and Ramsar sites), means that due consideration must be given to the potential impact on the landscape and potential impacts (both positive and negative/harm) to the natural environment and fragile coastal eco-systems. The applicant's agent has advised that users of the sauna would be directed to enter and exit the sauna onto the beach using the established footpath nearby. Fife Council Natural Heritage Officer has been consulted and advised that the sauna would be located on regularly mown amenity grassland and is therefore considered to be of low ecological value. On that basis the loss of a small area of grassland would not be deemed significant in terms of impact on species or loss of natural habitat. Again, patrons should use pre-existing routes and avoid using the dune areas which could be prone to erosion of the more fragile dune grassed areas. The sauna operator should ensure such access arrangements are adhered to.

2.7.7 In this instance, given the temporary nature of the sauna, its small footprint area, and the siting on a maintained grass area with effective management to encourage users to use designated footways to and from the shore would ensure that there is detrimental impact to the local natural heritage. The site of the sauna is open to and contiguous with the open amenity space of the established holiday caravan park. In terms of waste management, this would be dealt with by the operators who would maintain and clean daily and this would ensure there is no waste material from the sauna operation released to the adjacent marine and terrestrial environments. Overall, the proposal is considered acceptable and would comply with NPF4 (2023) and related policies and guidance within the Adopted FIFEplan (2017) with regard to protecting and preserving the natural heritage.

2.8 Sustainability

2.8.1 NPF4 (2023) Policy 1 and 2; Adopted FIFEplan (2017) Policies 1 and 11 and Fife Council Low Carbon Fife Supplementary Guidance (2019) apply in this regard.

2.8.2 Two letters of support have been received stating that the proposal would incorporate sustainable materials and fuel sources.

2.8.3 The proposal would be a mobile unit that would be transported to site, and therefore, no requirements for foundations are required reducing the associated embodied carbon footprint of this aspect of development. A log burning stove is proposed to heat the sauna unit with kiln dried hardwood logs thus reducing smoke and odour pollution potential. Where possible the applicant would use local, sustainable and ethically acceptable materials. Waste associated with the sauna use (ash, materials) would be stored on-site and removed daily. The proposal is also a small-scale tourism opportunity and would not generate large amounts of traffic in the area. Any impact is marginal in the context of the much larger holiday caravan park and established amenities serving that facility. The smoke from the log burner has been assessed by the Land and Air Quality Team (elaborated in section 2.5.4) and in this instance the kiln dried logs are considered to be an acceptable fuel/heat source. Kiln dried logs can be sustainably sourced and would be considered to be a sustainable fuel source. It is considered that the proposal would comply with NPF4 (2024), Adopted FIFEplan (2017) and other related guidance regarding Low Carbon impact.

3.0 Consultation Summary

Natural Heritage, Planning Services	No objection – subject to ensuring the users of the sauna access the shore via established pathways.
Land And Air Quality, Protective Services	No objections
TDM, Planning Services	No objections

4.0 Representation Summary

4.1 64 letters of representation have been received for this application including 52 letters of support and 12 letters of objection.

4.2 Material Planning Considerations

4.2.1 Objection Comments:

Issue	Addressed in Paragraph
a. Too many sauna units within the area	2.2.5
b. Natural Heritage impact of the degradation of the dune system from high footfall	2.8.4
c. Design and Visual Impact of the commercial aesthetic of the sauna unit negatively impacting on the coastal sting	2.3.6
d. Road safety impact of increased reliance on parking	2.6.4

4.2.2 Support Comments

Issue

- a. The economic, community, and health and well-being benefits from the sauna

4.2.3 Other Concerns Expressed

Issue

- a. The applicant applying for retrospective planning permission and the potential negative impacts and cumulative effects of similar proposals on the natural environment

Comment

Regardless of being retrospective the proposal is assessed on its planning merits.

5.0 Conclusions

The proposal is an acceptable form of land use compliant with the surroundings in accordance with NPF4 (2023) and Adopted FIFEplan (2017). The rural location has been demonstrated as a necessary location as it provides access to the coastal environment, and it would be sited adjacent to existing long established holiday caravan site and other outdoor recreational land uses. The unit is also a temporary/ mobile structure that is suitably scaled and finished to respect the site and its surrounding rural countryside environment; the proposal is considered to be an acceptable form of land use compliant with the surroundings in accordance with NPF4 (2023) and Adopted FIFEplan (2017)

6.0 Recommendation

It is accordingly recommended that the application be approved subject to the following conditions and reasons:

CONDITIONS:

1. The development to which this permission relates must be commenced no later than 3 years from the date of this permission.

Reason: In order to comply with the provisions of Section 58 of the Town and Country Planning (Scotland) Act 1997, as amended by Section 32 of The Planning (Scotland) Act 2019.

2. FOR THE AVOIDANCE OF DOUBT, should the mobile sauna hereby approved be unused for a period of 6 or more continuous months, then the unit and any ancillary elements associated with the facility shall be completely removed and the land restored to its former condition unless otherwise agreed in writing with this Planning Authority.

Reason: In the interests of protecting the local environment and visual qualities of the locality and to ensure the unit and ancillary associated elements are removed should the proposal become redundant.

7.0 Background Papers

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

[National Planning Framework 4 \(2023\)](#)

[FIFEplan Local Development Plan \(2017\)](#)

[Planning Guidance](#)

Report prepared by Matthew Don

Report reviewed and agreed by Alastair Hamilton, Service Manager 29/9/25

Committee Date: 8 October 2025

Agenda Item No 6

Application for Planning Permission (EIA Development)

Ref: 25/00417/EIA

Site Address:	Balmullo Quarry, Lucklaw Quarry Road, Lucklaw
Proposal:	EIA application for the First Periodic Review of Planning Conditions of Mineral Permission 05/00835/EEIA - ROMP application under Section 74 of the Town and Country Planning (Scotland) Act 1997
Applicant:	Mr Kris Bremner, Breedon Group, Ethiebeaton Quarry, Kingennie
Date Registered:	14 March 2025
Case Officer:	Martin McGroarty
Wards Affected:	W5R17: Tay Bridgehead

Reasons for Referral to Committee

This application requires to be considered by the Committee because it is accompanied by an EIA, and the application has attracted six or more separate individual representations which are contrary to the officer's recommendation.

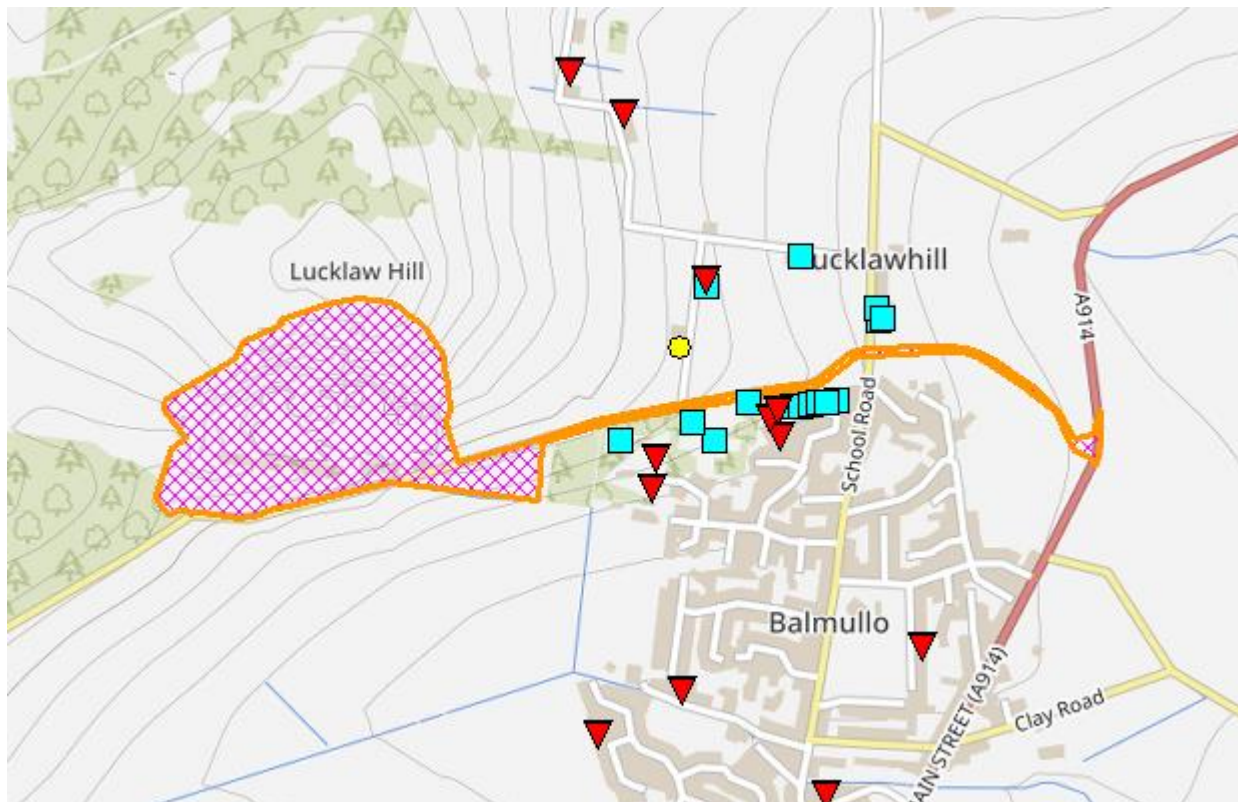
Summary Recommendation

The application is recommended for: Approval Subject to Conditions

1.0 Background

1.1 The Site

1.1.1 LOCATION PLAN



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1.1.2 Balmullo (or Lucklawhill) Quarry is an existing hard rock (felsite) quarry which lies to the northwest of the village of Balmullo in northeast Fife, adjacent to the minor road between Balmullo and Logie known as Quarry Road. Quarry Road is a single-track road with passing places. Access to and from the quarry is taken along Quarry Road to the east towards School Road, where it crosses onto a private haul road linking Quarry Road with the main A914 (Glenrothes to Dundee) road.

1.1.3 Hard rock quarrying has existed in one form or another at the site for at least 170 years but the earliest known planning permission for quarrying at the site dates to 1948. The existing operation at Balmullo is, however, a modern quarry; the current planning permission covering the site (reference 05/00835/EEIA) was permitted with planning conditions on 10th July 2008.

1.1.4 Lucklawhill, from which the red felsite mineral resource is taken, provides ecological and recreational areas of value with a number of walking routes around and atop the hill, including circular routes from Balmullo village. The quarry is visible from close, medium and long-range views, from the west, east and south of Balmullo.

1.2 The Proposed Development

1.2.1 This is an EIA application for the First Periodic Review of Planning Conditions of Mineral Permission 05/00835/EEIA - ROMP application under Section 74 of the Town and Country Planning (Scotland) Act 1997, so there is no proposed “development” in the normal way of planning applications.

1.2.2 A ROMP (Review of Minerals Permission) application is not an application for planning permission, and it does not seek permission for any new works beyond those which were authorised by the original permission (05/00835/EEIA).

1.2.3 Rather, the purpose of the ROMP is to ensure that the planning conditions under which the site operates are up to date, based on current best practice methods and environmental procedures. As part of the ROMP submission, the operator proposes a revised set of planning conditions, under which the quarry would then operate until the next ROMP review in 15 years' time. It is then for the Planning Authority to consider whether the planning permission should be subject to the conditions proposed by the operator or to otherwise modify conditions. The ROMP application cannot revisit the principle of whether the quarry should be allowed, as this has been established by the existing permission, and the updated set of conditions should not restrict existing working rights in respect of the site – in the event of the Planning Authority imposing new conditions which did restrict working rights, the Council could be open to a financial compensation claim from the quarry operator.

1.2.4 The current set of planning conditions under 05/00835/EEIA, alongside the applicant's proposed revised set of planning conditions for comparison, are attached as Annex 1 to this Report of Handling. Fife Council's Planning Services' recommended conditions for consideration by this Committee are set out in detail at the end of each assessment section (Sections 2.2 to 2.10) and collated as a complete set of conditions (Section 6.0 – Recommendation) in this Report of Handling.

1.2.5 This ROMP application has been accompanied by an EIA. Members will be aware that there is another application for Balmullo Quarry currently before Fife Council – application 25/00418/EIA, for a lateral extension to the existing quarry. The EIA has been written in such a fashion that it covers both the status quo (i.e. this ROMP application) and the proposed extension scenarios for the quarry. Not all elements of the EIA therefore have relevance to this ROMP application.

1.2.6 Application 25/00418/EIA carries no material weight in the assessment of this ROMP application, given that the ROMP application does not seek permission for any new works beyond those which were authorised by the original permission but is solely focussed on assessing the suitability of the existing set of planning conditions controlling current operations at the quarry.

1.2.7 In total, one representation (from a member of the public) and seventeen objections (one from Balmullo Community Council, one from the Save Lucklawhill Community Action Group – SLCAG – and fifteen from members of the public) have been received in connection with this application. All representations and objections were received within the public consultation time limits, but five of the seventeen objections made to this ROMP application are not relevant to this application as they solely raise issues in relation to a possible extension of the quarry.

1.3 Relevant Planning History

69/00752/HIST - Change of use of land from agricultural (rough grazing) to storage area for quarry material at Balmullo - Planning permission granted subject to conditions- 14/11/1969

97/10039/HIST - Continuation of extraction/extension to quarry, including processing/restoration and formation of access road (revised submission) - Refused - 23/02/1998

98/00013/EFULL - Continuation of extraction/extension to quarry, including processing/restoration and formation of access road (revised submission) - Application Withdrawn - 15/04/2009

02/ENF - 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 completion of final restoration of the quarry by 31/10/2011 – The Notice came into Effect on 19/03/2002

03/04094/EEPN - Erection of 11kv overhead electricity line - Planning permission granted - 04/02/2004

05/00835/EEIA - Extension to Balmullo Quarry and construct new access route - Planning permission granted subject to conditions - 10/07/2008

13/03707/SCR - Screening Opinion for erection of wind turbine - EIA not required - 09/04/2014

24/00264/PAN - Proposal of Application Notice for proposed extension to quarry workings, periodic review of minerals permission - Agreed - 08/02/2024

24/01046/SCO - EIA Scoping Opinion - Scoping Opinion Issued - 21/06/2024

25/00418/EIA - EIA Application for phased lateral extension to existing quarry including revised restoration scheme. - Application invalid (pending submission of revised plans and additional information)

1.4 Application Procedures

1.4.1 Under Section 74 of, and Schedule 10 to, the Town and Country Planning (Scotland) Act 1997, a Notice of First Periodic Review was served on all known owners of the land, or persons with an interest in the minerals, to which the current planning permission (05/00865/EEIA) for Balmullo Quarry relates.

1.4.2 That Notice, served on 7th August 2024, informed the recipients that they must apply to Fife Council for the determination of new planning conditions by the First Review Date, which was specified as being 8th August 2025. This application fulfils that requirement, and the applicant has proposed an updated set of planning conditions for the existing operations at Balmullo Quarry, in line with the ROMP process.

1.4.3 The initial public consultation period for this application was extended by four weeks in April 2025 following the submission by the applicant of clearer plans in the EIA (making it more obvious to members of the public and other interested parties which parts of the EIA were solely applicable to the current ROMP application and which parts referred to the application for the proposed extension). A further, four weeks of public consultation was subsequently undertaken in May 2025 in light of the submission of Dust, Noise and Blasting Schemes produced by the applicant, as well as the publication of a less-redacted copy of the EIA by Fife Council. A final, further 4-week period of additional public consultation took place in July 2025, following the submission by the applicant of revised Dust, Noise and Blasting Schemes at the request of Fife Council.

1.5 Relevant Policies

The Development Plan

1.5.1 When planning permission for the extension to Balmullo Quarry was approved by the North East Fife Planning Committee under reference 05/00835/EEIA in September 2006 (and therefore when the current set of planning conditions were imposed), the Development Plan framework comprised of the Approved Fife Structure Plan (2002), The Adopted St Andrews Area Local Plan (1996) and the emerging St Andrews and East Fife Finalised Draft Local Plan (2006). National planning guidance also existed in the form of Scotland's first National Planning Framework (NPF1) (2004).

1.5.2 Since that time, the Development Plan Framework has been entirely replaced and now comprises the Adopted FIFEplan Local Development Plan (2017), and the national planning

policy given in NPF4 (2023). Despite this, the minerals' planning context has not changed significantly in that time.

1.5.3 The fundamental tenets of minerals' planning have consistently been that minerals are a finite resource, they are of great importance to the national and local economy, and that they can only be worked where they lie. These principles are recognised and reinforced throughout NPF4, with specific reference to Policies 5 (Soils), 8 (Green Belts) and 33 (Minerals). Minerals operators have a duty, however, to extract minerals in a manner that minimises the negative environmental impacts of the industry and should seek to protect at all times the potentially negative impacts upon close neighbours and adjoining settlements. It is the role of the Planning Authority to ensure that adequate conditions of planning permission, and appropriate planning compliance monitoring, are in place to achieve the necessary balance between meeting society's need for minerals and mitigating the impact of extraction on those living closest to sources of minerals.

Fife Council Minerals Supplementary Guidance

1.5.4 Together with the policies of FIFEplan, the Minerals Supplementary Guidance (MSG) replaced the Fife Minerals Subject Local Plan in 2018 and provides a broad framework for balancing the positive contribution of minerals extraction and its negative impacts. Statutory provisions for Supplementary Guidance were removed under the 2019 Planning Act, but Fife Council is still able to produce supplementary guidance on specific planning issues, though it no longer has 'Development Plan' status. The MSG sets out four objectives for minerals, which are to:

- Improve the husbandry and management of the exploitation of Fife's mineral resources.
- Safeguard mineral deposits from sterilisation.
- Ensure that the scale and location of mineral extraction is sufficient to meet the needs of Fife's economy as well as contributing to wider city region market area needs.
- Ensure that the protection of the environment and local communities is a key cornerstone and that development will be located/granted with this in mind.

1.5.5 The MSG acknowledges that there is a practical limit to the degree to which a planning strategy can be applied to mineral working given that the resources can only be worked where they are found. Generally, the most accessible and economically viable mineral deposits have already been exploited. Consequently, remaining unworked minerals are becoming increasingly constrained by many factors including quality, access, built development and environmental issues. In addition, there is great public interest in the protection of the environment. The balancing of competing interests is becoming increasingly controversial and difficult, and it is the aim of the MSG to help to minimise such conflicts.

PAN 50

1.5.6 Planning Advice Note (PAN) 50: Controlling the Environmental Effects of Surface Mineral Workings (1996) deals generally with the environmental effects of surface mineral working and provides the framework for detailed advice in a series of four annexes on different aspects of minerals' operations:

- Annex A – The Control of Noise at Surface Mineral Workings (1996)
- Annex B – The Control of Dust at Surface Mineral Workings (1998)
- Annex C – The Control of Traffic at Surface Mineral Workings (1998)
- Annex D – The Control of Blasting at Surface Mineral Workings (2000)

1.5.7 PAN 50 and its annexes indicate what is considered to be 'good practice'. They do not however cover all environmental effects, where conflict may arise, for example, in relation to designations intended to protect the natural or built heritage. It is the responsibility of the planning authority, to consider in detail any proposal for mineral working in their area, in relation to the site and its environs. In so doing they should have regard to other published planning guidance and, where appropriate consult relevant bodies, such as NatureScot and Historic Environment Scotland where proposals may affect designations intended to protect natural or built heritage.

PAN 51

1.5.8 Planning Advice Note (PAN) 51: Planning, Environmental Protection and Regulation (2006) notes that there are a range of specific environmental protection regimes in Scotland, designed to safeguard the natural and built environment, which operate alongside the land use planning system, which aims to ensure that development takes place in suitable locations and is sustainable, while also providing protection from inappropriate development. The central purpose of PAN 51 is to support the existing policy on the role of the planning system in relation to the environmental protection regimes, noting that the planning system should not be used to secure objectives that are more properly achieved under other legislation. It also highlights that the grant of planning permission does not remove the need to seek other statutory consents, nor does it imply that these consents will be forthcoming.

PAN 64

1.5.9 Planning Advice Note (PAN) 64: Reclamation of Surface Mineral Workings (2003) sets out the (then) Scottish Executive's key aim of minerals' policy, which was to ensure that land worked for minerals is reclaimed as soon as possible after working has ceased. To achieve this, minerals' operators and planning authorities need to ensure that satisfactory reclamation procedures are in place before, during and after extraction to bring land back to an acceptable condition.

1.5.10 PAN 64 provides advice, specifically, on:

- relevant legislation and policy;
- assessing reclamation proposals;
- potential after uses;
- reclamation processes;
- consultation procedures;
- planning conditions;
- restoration and aftercare schemes;
- planning agreements;
- financial guarantees;
- monitoring and enforcement; and
- development plans.

The ROMP process

1.5.11 The current ROMP process has its origins in the Planning and Compensation Act 1991 and the Environment Act 1995; and the process was crystallised in Section 74, and Schedules 9 and 10 of the Town and Country Planning (Scotland) Act 1997.

1.5.12 The original purpose of the ROMP process was to capture the oldest minerals operations – many of which had simply been given permission to extract materials without any conditions at all – and to ensure that they had a modern set of planning conditions attached to them – and subsequently led to the requirement for a 15-year review of sites. Modern conditions would principally ensure that the general amenity in the vicinity of quarries would be mitigated as far as possible with respect to noise, dust and vibration/blasting. For active sites, a distinction was drawn “between conditions that dealt with the environmental and amenity aspects of working the site, which should not affect asset value, and conditions that would fundamentally affect the economic structure of the operation” (Planning Circular 34/1996).

1.5.13 In planning terms, a “modern” set of planning conditions is considered to be a set of conditions that is based upon the best practice guidance provided in PAN 50.

1.5.14 In the case of Balmullo Quarry, whilst quarrying has been taking place at the site for over 100 years, it is not a quarry with no conditions attached, or with very old conditions attached that would no longer be deemed appropriate for a modern quarry operation. The current planning permission has a set of planning conditions that are rooted in the best practice guidance contained in PAN 50 and Balmullo Quarry can therefore be described as a quarry currently controlled by a modern set of planning conditions.

1.5.15 It remains appropriate, however, to revisit in this ROMP process the current set of planning conditions that was attached to the existing planning permission (05/00865/EEIA), to ascertain whether there are improvements or amendments that can justifiably be made to those planning conditions, without adversely impacting the operator’s working rights in the process.

2.0 Assessment

2.1 Relevant Matters

2.1.1 The fundamental matter to be assessed in this ROMP application is the applicant’s proposed updated set of planning conditions for the existing planning permission (05/00835/EEIA) for quarrying at Balmullo Quarry. This is the purpose of the ROMP process, and it requires the applicant to suggest updated conditions for their existing planning permission and to submit those for public scrutiny and assessment by Fife Council as Planning Authority.

2.1.2 This assessment will therefore take a balanced view on the applicant’s proposed new set of conditions when compared to the existing conditions, bearing in mind the comments and objections made by local residents as part of the public consultation on this ROMP submission, the guidance offered by PAN 50 and PAN 64, and the advice received from statutory and other consultees.

2.1.3 It is helpful, for the purposes of clarity, to break the assessment down into a number of distinct themes that have emerged from the public consultation process. These themes are as follows:

- Working Hours
- Noise
- Blasting
- Dust and Air Quality

- Roads and Access
- Annual Output
- Restoration
- Ecology and Nature, the EIA and Climate Change
- Other Matters

2.1.4 The following paragraphs of this Report of Handling set out the matters involved in each of these broad themes, detail comments/objections made on those matters and Planning Service's assessment of each matter having taken specialist advice where required.

2.1.5 This assessment focusses on those conditions which have been the subject of comments and objections. As indicated previously in paragraph 1.2.4, the full current set of planning conditions under 05/00835/EEIA, alongside the applicant's full proposed revised set of planning conditions for comparison, are attached as Annex 1 to this Report of Handling.

2.1.6 Annex 1 serves as a useful summary of this Report of Handling. It clearly sets out the ROMP process showing **EXISTING** conditions, the applicants' **PROPOSED** conditions, and Planning Services' subsequently **RECOMMENDED** conditions and how these three elements relate to each other. The bold typeface notation used above for each of these three elements is carried on through this Report of Handling to aid clarity and understanding of the ROMP process.

2.1.7 As a further aid to clarity in understanding this Report of Handling, the assessment of each theme in the following Sections (2.2 to 2.10) follows a consistent order of consideration, namely:

- What the **EXISTING** condition(s) say(s) on the theme;
- What the **PROPOSED** condition(s) say(s) on the theme;
- The Pan 50 position on the theme;
- A summary of comments and objections made on the theme;
- The applicant's response to comments and objections made on the theme;
- Any specialist or external consultation responses on the theme;
- Fife Council's Planning Services' assessment of all of the above; and
- Planning Services' subsequently **RECOMMENDED** condition(s) on the theme.

2.2 Working Hours

2.2.1 PAN 50 provides guidance to the industry and decision makers with respect to working hours at quarries, acknowledging that mineral operators are under commercial pressure to work during unsocial hours, particularly to fulfil the demands of roads maintenance and construction projects that call for early or off-peak deliveries. PAN 50 highlights the need to find a balance between operational requirements and the requirement to keep nearby communities protected.

2.2.2 **EXISTING** Condition 2 of 05/00835/EEIA restricts quarry operating hours as follows:

Monday to Friday – 07:30 to 17:00

Saturday – 08:00-12:00

2.2.3 Proposed operating hours are detailed in the applicant's **PROPOSED** Condition 3 as follows:

Monday to Friday – 07:30 to 17:00

Saturday – 08:00-12:00

Sunday – No working unless agreed in writing with Fife Council as Planning Authority.

The applicant also proposes to include the text, "Outwith these hours, activities shall be limited to maintenance, emergency works, dust suppression, pumping and testing of plant and equipment only" and "FOR THE AVOIDANCE OF DOUBT, any blasting shall be carried out as per the approved blast design and is an operation outwith the scope of this operating condition and is separately controlled."

2.2.4 Hours of operation are mentioned in a number of objections with comments made to the effect that start times should be amended to a later start to reflect an increased residential presence. Allegations are made that the quarry does not always adhere to the permitted starting times, with early starts and late finishes, including truck movements. SLCAG indicates that all work outside permitted hours should be prohibited, whilst Balmullo CC recommends that out of hours work should be restricted to emergencies only.

2.2.5 In response to these objections, the applicant indicates that it is considered important to maintain flexibility with regard to equipment preparation and testing. The start time of 7.30am is essential to supply construction industry businesses reliant on materials to commence their work. Out of hours works are rare and relate to maintenance, testing, and to dust management operations which are carried out as needed to limit dust emissions (e.g. use of the water bowser).

2.2.6 Taking into account all of the above, Fife Council's Planning Services' assessment is that the applicant's (unchanged) proposed start time is within acceptable parameters as laid out in PAN 50, which align with the need to have construction materials available for the start of working day for construction projects. The applicant proposes a later starting time and an earlier finishing time in comparison with the majority of the other quarries in Fife; some of which begin work as early as 6am and finish at 7pm Monday to Friday, have full working days from 6am or 7am on Saturdays, and include normal minerals operations on Sundays.

2.2.7 Allegations of work taking place outwith permitted times are largely unsubstantiated in terms of the supply of evidence. Fife Council's Public Protection Team has dealt with complaints from local residents in the past, including one from an objector to this application, which led to discussions with Breedon and the Quarry Manager at Balmullo Quarry. Those discussions established that, whilst it is common practice to start up some machinery prior to the 7:30am start time to warm plant, no extraction, processing or transport of hard rock takes place until the consented start time. This is in accordance with the current planning permission and is typical of quarry operations in Fife.

2.2.8 In terms of the additional works proposed by the applicant to be allowed outwith stated operational hours, Fife Council's assessment is that it is general quarry practice that such works can be carried on where required at non-operational working times. Local amenity remains protected given that any noise emitted from these sources would remain subject to the overarching noise controls relating to operations on the site.

2.2.9 With regard to the applicant's proposed additional wording relating to blasting (wording beginning "FOR THE AVOIDANCE OF DOUBT"), whilst its inclusion is intended to clarify that permitted blasting times are separate from this condition, it is Fife Council's assessment that

this additional text is unnecessary, confusing and should not be included in the recommended condition covering operating hours as it refers directly to something that is not controlled by the condition.

2.2.10 The **RECOMMENDED** condition covering hours of operation is Condition 2 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which reads as follows:

“2. Operations for the winning, extraction, processing and transport of hard rock shall be carried out within the hours of 07.30 until 17.00 Monday to Friday; 08.00 until 12:00 on a Saturday and at no time on a Sunday unless otherwise agreed in writing with the Planning Authority. Outwith these hours, activities shall be limited to maintenance, emergency works, dust suppression, pumping and testing of plant and equipment only.

Reason. In order to protect the amenity of adjoining and nearby residents.”

2.3 Noise

2.3.1 PAN 50 provides guidance to the industry and decision makers with respect to noise at quarries. PAN 50 (and its Annex A – The Control of Noise at Surface Mineral Workings) identify noise as one of the most significant environmental concerns associated with surface mineral workings. Even relatively quiet sounds can be intrusive if they are unfamiliar or come from unwelcome sources. The guidance recommends using British Standard 5228 for predicting noise levels, incorporating site-specific data and considering factors such as plant type, layout, and meteorological conditions. Noise limits should be set at noise-sensitive properties, typically dwellings, schools, hospitals, and recreational areas, rather than at site boundaries, to better reflect community impact. Standard daytime limits are generally 55 dB LAeq,1h (a 1-hour period in a working day), with night-time limits at 42 dB LAeq,1h, though these may be adjusted based on local circumstances. Temporary activities like baffle mound construction may justify higher limits (up to 70 dB LAeq,1h) for short periods. Planning conditions should include provisions for monitoring, equipment standards, and mitigation measures. Operators are expected to adopt best practice, including careful site layout, use of quieter equipment, screening, and maintenance. Special attention should be given to reversing alarms, which are often cited as a major source of disturbance. Off-site traffic noise should also be considered, with operators encouraged to manage haul routes and timings to minimise impact. Overall, PAN 50 promotes a collaborative approach between operators and planning authorities (and, by extension, local communities), aiming to ensure noise is controlled effectively without imposing unreasonable burdens.

2.3.2 **EXISTING** Conditions 3, 4, 5, 6, 7, 8 and 9 of 05/00835/EEIA deal with noise levels relating to operations at the quarry.

- Existing Condition 3 covers maximum noise levels permitted during normal quarrying operations. The permitted levels are 45dB (LAeq) 1hour (freefield), or 10dB(A) above the measured background level, whichever is the greater, at any noise sensitive premises.
- Existing Condition 4 covers maximum noise levels permitted when drilling is being carried out in conjunction with normal mineral extraction operations. The permitted levels are as follows:
 - Woodfield – Phase 1 48dB LAeq 1hour
 - Woodfield – Phase 2 48dB LAeq 1hour
 - Hayston Park – Phase 1 50dB LAeq 1hour
 - Hayston Park – Phase 2 50dB LAeq 1hour

- North End of Pitcairn Drive – Phase 1 51dB LAeq 1 hour
- North End of Pitcairn Drive – Phase 2 51dB LAeq 1 hour
- North End of Pitcairn Drive – Phase 3 51dB LAeq 1 hour
- Noise from any plant or machinery associated with normal mineral extraction operations shall be controlled such that it does not exceed 65dB LAeq 1 hour at the boundary of Lucklaw Wood.
- Drilling operations shall be carried out on no more than 30 days in any calendar year.
- Existing Condition 5 covers soil movement and placement operations at the quarry, limiting the formation of soil mounds to a period of not more than 8 weeks in any one year and setting maximum noise levels permitted during the prescribed 8-week period. The permitted levels are 70dB LAeq 1 hour (freefield) at any adjacent noise sensitive premises and 65 LAeq 1 hour at the boundary of Lucklaw Wood.
- Existing Condition 6 indicates that the number of drilling days shall be included in the maximum 8-week period indicated in existing Condition 5.
- Existing Condition 7 covers the maximum noise level permitted by vehicles using the haul route. The permitted level is 45dB LAeq 1 hour when measured at any existing sensitive property.
- Existing Condition 8 states that all vehicles operating at the site shall be fitted with white noise reversing systems.
- Existing Condition 9 requires maintenance of vehicles in good condition and states that they should be fitted with effective silencers.

2.3.3 Proposed noise conditions are detailed in the applicant's **PROPOSED** Conditions 5, 6, 7, 8, 9, 10 and 11.

- Proposed Condition 5 states that a Scheme of Noise Monitoring should be submitted for the approval of Fife Council as Planning Authority "within 6 months of the date of implementation of this planning permission", with the approved scheme being implemented within two months of approval.
- Proposed Condition 6 replicates the noise levels permitted in existing Condition 3, covering maximum noise levels permitted during normal quarrying operations (i.e. 45dB (LAeq) 1 hour (freefield), or 10dB(A) above the measured background level, whichever is the greater).
- Proposed Condition 7 replicates existing Condition 4, covering maximum noise levels permitted when drilling is being carried out in conjunction with normal mineral extraction operations, with the exception of the omission of the wording "Drilling operations shall be carried out on no more than 30 days in any calendar year." (NB: The omitted wording is re-introduced as part of proposed Condition 9.)
- Proposed Condition 8 mirrors existing Condition 5, covering soil movement and placement operations at the quarry, limiting the formation of soil mounds to a period of not more than 8 weeks in any one year and setting maximum noise levels permitted during the prescribed 8-week period. The proposed condition suggests additional text, however, to the effect that the noise limit for the prescribed 8-week period during operations at the quarry shall also apply to a maximum 8-week period in the final 12-month period of site decommissioning and reinstatement.
- Proposed Condition 9 aims to replace existing Condition 6, maintaining the prescribed 8-week period within which the higher noise limits are applicable, but specifying that the number of drilling days shall not exceed 30 days in a calendar year within the prescribed 8-week period.
- Proposed Condition 10 replicates existing Condition 8, states that all vehicles operating at the site shall be fitted with white noise reversing systems, with the caveat that it will be

applicable to all vehicles owned or operated solely by the quarry operator at the site and will comprise a red stroboscopic warning light and/or white noise reversing system.

- Proposed Condition 11 replicates existing Condition 9, requiring the maintenance of vehicles in good condition, and fitted with effective silencers.
- The applicant has not proposed a condition covering the control of noise specifically from quarry vehicles using the “new” haul route (as per existing Condition 7).

2.3.4 Fife Council’s Planning Services informed the applicant soon after the submission of the ROMP application that the Council could not accept its proposed Condition 5, which suggested the submission of a Scheme of Noise Monitoring within 6 months of any approval of their ROMP application. The applicant was asked to submit their scheme so that it could be publicised and give interested parties the opportunity to comment upon the proposed scheme, allowing it to be assessed as part of this ROMP application. The applicant having complied with this request, Fife Council considered that the submitted Scheme of Noise Monitoring could be improved in detail and clarity and so the applicant was asked to re-submit their proposed scheme. The applicant again complied with this request, and the application was re-advertised (and the public consultation period re-opened), to allow comments and objections to be made on the proposed scheme.

2.3.5 Matters relating to noise have been the subject of a number of comments and objections received to this ROMP application. The view is generally expressed that excessive noise comes from the quarry, which “exceeds limits”, both from quarrying operations and HGV movements. Concerns are expressed regarding the effect on health and general amenity of excessive noise from the quarry. Both SLCAG and Balmullo CC consider the proposed noise monitoring arrangements to be inadequate, with only annual checks suggested, which are insufficient to capture constant quarry operations. It is stated that infrequent monitoring misrepresents ongoing noise pollution affecting residents and the environment and monitoring every four months is suggested as a more appropriate and representative period, ensuring it covers all required locations.

2.3.6 Balmullo CC indicates that current monitoring practices have been inconsistent, and Woodfield should be specifically included in monitoring. Despite specific noise level conditions for Woodfield being included in the 2008 approval, owners report that no noise monitoring has been conducted at their property since 2008. They note the absence of these conditions in the current ROMP application and highlight the lack of enforcement over the past 18 years. Noise from soil movement and placement operations should also be tracked and reported to the Balmullo Quarry Liaison Committee (BQLC). All noise complaints should be logged and made accessible to both the Council and the community. Balmullo CC suggests that the number of drilling days should be recorded and provided to the BQLC at each meeting so that the community knows that 30 days are not being exceeded. The CC also states that proposed conditions 10 and 11 should include inspections to confirm noise control measures are properly installed.

2.3.7 In response to these objections, the applicant indicates that a Scheme of Noise Monitoring has been submitted, and updated/re-submitted following a Planning Services’ request, which can be referred to within the final suite of conditions. This is in addition to the previous noise monitoring scheme as required by the extant planning permission. The frequency of noise monitoring is specified in the submitted and updated Scheme of Noise Monitoring. Recording the details of the monitoring process within the Noise Monitoring Scheme allows the Local Planning Authority to request a revised scheme (in the event that the monitoring process needs to change) without requiring a planning application submission to vary the condition.

2.3.8 Breedon currently do, and are happy to continue to, share the noise reporting with the BQLC in accordance with the schedule within the approved Scheme of Noise Monitoring. The applicant further indicates that noise monitoring has been carried out in accordance with the current monitoring scheme at representative locations, reiterating the view that the details of the Scheme of Noise Monitoring should not be specified within the condition, allowing the flexibility for changes to be made (should they be required) without recourse to a further planning application.

2.3.9 In relation to suggestions that the number of drilling days should be recorded and provided to the BQLC at each meeting so that the community knows that 30 days are not being exceeded, the applicant considers that it is not necessary for this information to be provided to the BQLC at each meeting, indicating that Balmullo Quarry is subject to an annual independent compliance audit at which, if requested, details of the drilling undertaken would be provided. Similarly, the applicant responds to calls for conditions to include provision for inspection to confirm that reversing alarms and silencers are fitted by indicating that the quarry is subject to an annual independent compliance audit, at which such matters are routinely checked.

2.3.10 Fife Council's Public Protection Team (PP) has been consulted in relation to noise matters in the context of this ROMP application and notes that, whilst the previous (i.e. existing) conditions covering noise did not set a background level, Table 12.6 of the submitted EIA shows background levels at all locations to have a L_{90} of 35 dB or below, meaning that the PAN 50 recommended limit for operational noise should be 45 dB. Existing conditions set a higher limit for drilling, as high as 51 dB at Pitcairn Drive, whilst EIA Table 12-4-1 predicts the worst case from normal operations to be 46dB at 81 Pitcairn Drive and 49 dB at 81 Park View; which would be in breach of the current conditions. The PP team indicates that Planning Services may wish to adjust these limits.

2.3.11 A PP team site visit in March 2025 picked up noise at Pitcairn Drive from a traditional reversing alarm emanating from the quarry site and noted that Planning Services may wish to reiterate to the applicant the terms of existing Condition 8 in this context.

2.3.12 In response to the comments of the Public Protection team, the applicant indicates that drilling is an infrequent and short-term operation, which is often undertaken at height i.e. not within the quarry 'bowl'. Therefore, it does not benefit from the attenuation provided by the quarry faces. Due to the drill locations, additional attenuation options are limited. The applicant indicates that drilling is carried out in preparation for blasting which occurs on a limited number of occasions per year, typically about eight times per annum although this does vary. Drilling operations are typically carried out over a period of two to three consecutive days. The applicant states that the current limits set for noise during drilling operations are a worst-case scenario, as explained in EIA Report Chapter 12: Noise (paragraph 12.51). The most recent noise monitoring (undertaken by Vibrock in April 2025) indicates that these levels are not being reached. Monitoring found that noise levels at all receptor locations around Balmullo Quarry are in compliance with the specific noise limits detailed in the relevant planning conditions. The Hayston Park and Lucklaw Wood receptors were monitored as experiencing a noise level of 39 dB (the highest of any receptor locations), however their applicable noise limits are set at 50 dB and 65 dB respectively. Breedon indicates that it will continue to employ the mitigation measures as described in EIA Report Chapter 12: Noise (paragraphs 12.46 and 12.47) and comply with the noise levels set by condition. Noise monitoring in accordance with the submitted noise monitoring scheme will be carried out.

2.3.13 All vehicles owned or operated solely by the quarry operator at the site are fitted with alternative reversing warning systems. Vehicles owned or operated by third parties which are, for example, making deliveries to the site may be fitted with traditional reversing alarms. These instances would be infrequent, temporary and short-lived.

2.3.14 Taking into account all of the above, Fife Council's Planning Services' assessment is that the various different maximum allowable noise levels across a number of different conditions are confusing and should be simplified where possible for reasons of clarity and understanding. Background noise levels have been provided in the EIA report submitted by the applicant in support of this ROMP application and the applicant's noise monitoring results indicate that allowable levels are not being exceeded at any of the existing monitoring points.

2.3.15 To achieve this greater clarity, therefore, Planning Services' recommended conditions, as set out below in paragraph 2.3.16 and section 6.0 (Recommendation) of this Report of Handling, aim to rationalise noise limits into conditions covering normal operations; operations where drilling is added; and noisier operations where soil bunding for additional sound attenuation may be required, or to allow for significant works attached to restoration at the end of the quarry's life. The elevated allowable noise limits for drilling and soil movement/placement operations are temporary limits, with drilling operations restricted to 30 days in any calendar year and soil movement restricted to an 8-week period in any calendar year. Annex 1 to this Report of Handling indicates where amendments to the applicant's proposed conditions have been made for clarity. Annex 3 to this Report of Handling details the applicant's submitted Scheme of Noise Monitoring, with Planning Services' proposed amendments reflecting the recommendations in this Report of Handling.

2.3.16 The **RECOMMENDED** conditions covering noise are Conditions 3, 4, 5, 6, 7, 8 and 9 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which read as follows:

“3. Noise levels generated by normal mineral extraction operations, including the use of the haul road by HGV traffic, 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.

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

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

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

- 48dB LAeq 1 hour at all noise sensitive premises; and
- 65dB LAeq 1 hour at the boundary of Lucklaw Wood.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

5. Soil movement and placement operations and the formation of soil mounds shall be carried out for no more than eight weeks in any one year. During periods when this work is being carried out, noise from all plant and machinery shall be controlled such that the following noise levels shall not be exceeded:

70 dB LAeq 1hour (freefield) at any adjacent noise sensitive premises; and
65 dB LAeq 1hour at the boundary of Lucklaw Wood.

FOR THE AVOIDANCE OF DOUBT, these noise limits shall only be permitted for a maximum of eight weeks in any 12-month period following commencement of development and for a maximum of eight weeks in the final 12-month period of site decommissioning and reinstatement. Otherwise, the noise limits in Conditions 3 and 4 shall apply.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.”

6. Noise monitoring shall be carried out in accordance with the Noise Monitoring Programme, Rev 1 (July 2025), as amended (September 2025), which Programme is hereby approved.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.

7. Drilling operations shall be carried out on no more than 30 days in any calendar year. FOR THE AVOIDANCE OF DOUBT, the number of drilling days shall be included within the eight weeks for soil movement and placement operations as provided for under the terms of Condition 5.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

8. All vehicles owned or operated by the quarry operator at the site shall be fitted with alternative reversing warning systems. These shall include a red stroboscopic warning light and/or white noise reversing systems.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

9. All plant and machinery shall at all times be maintained and operated to comply with manufacturers specifications and shall be fitted with effective silencers.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.”

2.4 Blasting

2.4.1 PAN 50 provides guidance to the industry and decision makers with respect to blasting at quarries. In particular, PAN 50 Controlling the Environmental Effects of Surface Mineral Workings: Annex D: The Control of Blasting at Surface Mineral Workings sets out all the detail of: why quarries need to use explosives to win the minerals; how ground vibration is caused by blasting; how the level of that vibration is measured; human response to blasting events; the effect on structures; the measurement of air overpressure (the energy transmitted from the blast site within the atmosphere in the form of pressure waves) and the effect of meteorological conditions; how blast design and power are predicted and implemented to control the effects of the blast on the immediate locale, including the prevention of fly rock (mineral escaping from the quarry during a blast); the scale and nature of noise and dust arising directly from blasting; and the form and use of appropriate planning conditions related to blasting, including days and times of blasting, the number of blasts permitted, allowable ground vibration levels, vibration monitoring, and air overpressure control.

2.4.2 **EXISTING** Conditions 10, 11, 12 and 13 of 05/00835/EEIA deal with the control of blasting operations at the quarry.

- Existing Condition 10 covers the maximum permitted peak particle velocity (ppv) readings for blasts, a measure of the energy of individual blasts expressed in millimetres per second (mm/s^{-1}). The existing permitted maximum energy reading is 10 mm/s^{-1} for any individual blast, with an average of 6 mm/s^{-1} over any consecutive block of 20 blasts. A maximum reading of 50 mm/s^{-1} is currently permitted at the water reservoir and at the communications mast on top of Lucklaw Hill.
- Existing Condition 11 restricts blasting to between the hours of 10:00 to 12:00, and 14:00 to 16:00, Monday to Friday.
- Existing Condition 12 requires the submission of a Scheme for Monitoring Blasting, to be agreed by Fife Council as Planning Authority.
- Existing Condition 13 requires the submission of a notice of blasting to Fife Council giving at least 48hrs advance warning of all blasts at the quarry. Site notices, warning the public of upcoming blasting times, are also required to be displayed in positions, and at times, agreed with Fife Council as Planning Authority.

2.4.3 Proposed blasting conditions are detailed in the applicant's **PROPOSED** Conditions 12, 13, 14, 15 and 16.

- Proposed Condition 12 matches existing Condition 11, proposing the restriction of blasting to between the hours of 10:00 to 12:00, and 14:00 to 16:00, Monday to Friday.
- Proposed Condition 13 states that a Scheme of Blasting should be submitted for the approval of Fife Council as Planning Authority "within 6 months of the date of implementation of this planning permission", with the approved scheme being implemented within two months of approval.
- Proposed Condition 14 matches existing Condition 13, proposing the submission of a notice of blasting to Fife Council giving at least 48hrs advance warning of all blasts at the quarry, with site notices warning the public of upcoming blasting times to be displayed in positions, and at times, agreed with Fife Council as Planning Authority.
- Proposed Condition 15 states that the best industry guidance shall be adopted to reduce the effects of air overpressure on any noise sensitive building or structures; the details of the methods to be employed shall adhere to the approved Scheme of Blasting.
- Proposed Condition 16 matches existing Condition 10, proposing the permitted maximum energy reading as 10 mm/s^{-1} for any individual blast, with an average of 6 mm/s^{-1} over any consecutive block of 20 blasts, and a maximum reading of 50 mm/s^{-1} at the water reservoir and at the communications mast on top of Lucklaw Hill.

2.4.4 Fife Council's Planning Services informed the applicant soon after the submission of the ROMP application that the Council could not accept its proposed Condition 13, which suggested the submission of a Scheme of Blasting within 6 months of any approval of their ROMP application. The applicant was asked to submit their scheme so that it could be publicised and give interested parties the opportunity to comment upon the proposed scheme, allowing it to be assessed as part of this ROMP application. The applicant having complied with this request, Fife Council considered that the submitted Scheme of Blasting could be improved in detail and clarity and so the applicant was asked to re-submit their proposed scheme. The applicant again complied with this request, and the application was re-advertised (and the public consultation period re-opened), to allow comments and objections to be made on the proposed scheme.

2.4.5 Matters relating to blasting have been the subject of a number of comments and objections received to this ROMP application. There were numerous calls for stricter enforcement, with current blast notification methods considered to be unreliable. SLCAG proposes a 48-hour notice system, to both the Council and the community, using multiple channels and the use of a siren. There were calls for both air overpressure and vibration monitoring to be improved, with data shared regularly, and historical blast data being made available, with any complaints directed to the appropriate council department. Balmullo CC notes that blasting has occurred outside permitted hours and therefore requires stricter enforcement. It suggests that the blasting scheme should be publicly available. Air overpressure is said to have caused “frighteningly” loud blasts due to poor weather-related decisions, and vibration monitoring is said to be insufficient due to limited equipment, including a lack of monitoring at the mast at the top of Lucklawhill and at the water reservoir. Monitoring should occur at multiple locations and be reported to the Balmullo Quarry Liaison Committee (BQLC).

2.4.6 Some local residents have commented that blasting affects their properties to such an extent that they fear structural damage has occurred/ is occurring/ will occur. The call for vibration monitoring at multiple sites is repeated, and there are calls for the quarry to exceed best practice in minimising impact. One local resident indicates that there is a lack of risk assessment carried out for vibration associated with blasting, and such vibration impact assessment should adopt BS 6472, which notes that environments with typically low levels of background noise (such as rural countryside communities) will likely detect lower vibrations. The owners of Woodfield indicate that a seismograph is “inconsistently” placed at their doorstep, and there is no clear pattern to when monitoring occurs – this is contradictory to the Blast Vibration Monitoring Scheme, which states that every blast should be monitored at Woodfield, the closest residential property to the quarry. Another local resident contends that any exceedance of vibration limits should be reported to the Planning Authority and to affected residents within 24 hours, as is the requirement in the proposed dust and noise monitoring schemes, along with a plan to prevent recurrence. This same resident considers also, however, that the current advance notification by telephone approximately 1 to 2 hours before each blast is acceptable.

2.4.7 In response to these objections, the applicant acknowledges that there have been instances where blasting has occurred marginally outwith the prescribed blasting hours of 10:00 to 12:00 and 14:00 to 16:00, Monday to Friday. The operator indicates that these rare occurrences have been due to technical delays in exploding charges once they have been set.

2.4.8 In response to the other matters raised in comments and objections, the applicant notes that the Scheme of Blast Monitoring has been submitted (and re-submitted in revised form taking into account comments from Fife Council) and is publicly viewable on the planning file online. The applicant indicates that the proposed Scheme of Blast Monitoring states that each blast shall be monitored at Woodfield but also indicates that a second instrument would be used “should additional monitoring be required elsewhere.” Breedon states that prior notification of every blast is given, with approximately 25 local residences telephoned 1 to 2 hours before each blast. Sentries are positioned around the site for the protection of walkers, cyclists, horse riders etc. and the applicant also indicates that, with respect to the siren, that is an internal quarry alarm for safety within the site, and it is considered that placing a linked siren within the village (as has been suggested in some objections) would in itself create noise disturbance in the village. With respect to air overpressure, Breedon indicates that it takes due cognisance of weather conditions in relation to blasting, operating in accordance with industry best practice, though Breedon also indicates that air overpressure can be monitored and reported to the Planning Authority if required.

2.4.9 Blast vibration is monitored in accordance with the current approved scheme by a specialist third party contractor (BAM Ritches). Blast vibration monitoring records are and will continue to be provided to the BQLC as well as the Planning Authority in accordance with the agreed schedule in the approved Blast Vibration Monitoring Scheme. The applicant points out that a vibration impact assessment has been carried out and submitted to the Planning Authority (EIA Report Chapter 13: Vibration), which assessment has been carried out in accordance with relevant legislation and guidance including BS6472-2. The applicant states that it is not necessary to monitor at every location to understand the results from other locations. The results of the monitoring carried out at other locations show that limits are not exceeded at the hill-top mast or the water reservoir. Where there is considered a specific need, two separate monitoring locations could be used. However, this is not considered to be necessary as standard. Requests for additional monitoring on occasion can, and have been, requested through the BQLC in the recent past, which have been fulfilled by Breedon.

2.4.10 Fife Council's Environmental Services (Public Protection) team has been consulted on this application and offers no objection, noting that the current blasting conditions are generally faithful to the guidance provided in PAN 50. Public Protection (PP) team recommends the change from 95% of all blasts measured over a "consecutive block of 20 blasts" to 95% of all blasts being measured "over a 6-month period". PP team also notes the outdated technology ("facsimile message") referred to in existing Condition 13 covering blasting and agrees with the applicant's wording in their proposed Condition 13 updating the terminology to refer to more modern means of communication. PP team recommends the addition of the following wording to the applicant's proposed Condition 16:

"The measurements to be the maximum of 3 mutually perpendicular directions taken at the ground surface at any vibration sensitive building." (See paragraphs 2.4.13 and 2.4.14 for an explanation.)

2.4.11 Taking into account all of the above, Fife Council's Planning Services' assessment of each of the various concerns expressed by objectors is predicated on the detailed advice on blasting provided by PAN 50 and its Annex D and can be broken down as follows.

Blasts outwith prescribed times

2.4.12 Blasting at quarries is controlled by Health and Safety legislation, and it is imperative for the safety of all concerned that a blast is completed once the charges have been set – on rare occasions, technical or weather-related delays to the programme can mean a blast taking place marginally outwith the times covered in the planning condition. Delayed blasts are reported to the independent Planning Compliance Officer so that such instances, and the reasons for them, are included in the annual Planning Conditions Compliance Report. In these rare cases, health and safety must take priority over strict adherence to the terms of the planning condition.

Blast levels

2.4.13 The accepted industry standard for the measurement of vibration in buildings derives from British Standards (BS7385: Part 1: 1990) and the preferred parameter of measurement is "peak particle velocity" (or ppv). PAN 50: Annex D explains that particle velocity is the rate at which particle displacement changes and is measured in millimetres per second (mm/s^{-1}). Annex D further explains that the measurement of particles by vibration waves is measured in 3 mutually perpendicular directions (since particles oscillate in 3 dimensions). These can be described as follows:

- Longitudinal (back and forth particle movement in the same direction that the particle is travelling);
- Vertical (up and down movement relative to the direction the vibration wave is travelling);
- and

- Transverse (left and right particle movement relative to the direction the vibration wave is travelling).

2.4.14 To illustrate this in practice, a single quarry blast monitoring result may be presented as follows:

Longitudinal – 1.43 mm/s⁻¹ ppv

Vertical – 2.35mm/s⁻¹ ppv

Transverse – 1.77 mm/s⁻¹ ppv

The officially recorded measurement for this hypothetical blast would therefore be 2.35 mm/s⁻¹ ppv, being the highest value of the three parameters.

2.4.15 A record of all blasts is routinely kept by Breedon and the blast record for the 40-month period from March 2022 to July 2025 has been attached as Annex 2 to this Report of Handling. Analysis of the blast record shows that blast results within that 40-month period have consistently fallen comfortably within the parameters set out in PAN 50, which states that individual blasts should not exceed 12 mm/s⁻¹ ppv and average levels should not exceed 10 mm/s⁻¹ ppv. Further, the blast record shown in Annex 2 also indicates comfortable and consistent compliance with the terms of existing Condition 10, and the applicant's proposed Condition 16, which permit a maximum energy reading of 10 mm/s⁻¹ for any individual blast, with an average of 6 mm/s⁻¹ over any consecutive block of 20 blasts

2.4.16 The average maximum blast level over the period shown in Annex 2 is 2.25 mm/s⁻¹ ppv. There have been 25 blasts carried out at Balmullo Quarry over the period from March 2022 to July 2025, which is an average of just over 6 blasts per year or 0.5 blasts per month. The highest recorded blast over that 40-month period was a blast measured at 4.95 mm/s⁻¹ ppv on 28th June 2023. Overall, in statistical terms:

- 100% of all blasts over the period have been below 10 mm/s⁻¹ ppv
- 100% of all blasts over the period have been below 6 mm/s⁻¹ ppv
- 76% of all blasts over the period have been below 3 mm/s⁻¹ ppv

2.4.17 For context, PAN 50 Annex D notes that, "although damage or the fear of damage is the major concern for neighbours of surface mineral workings the reality is that vibration levels at adjacent residential properties rarely if ever even approach the levels necessary for even the most cosmetic of plaster cracking." Scientific evidence proves that even minor cosmetic damage to property will not occur under blast levels of 15 mm/s⁻¹ ppv. As just indicated in paragraph 2.4.16 (and evidenced in Annex 2) of this Report of Handling, blast measurements at Balmullo Quarry have been consistently significantly below 15 mm/s⁻¹ ppv. PAN 50 Annex D indicates that this value applies even when a structure experiences repeated vibration events.

2.4.18 PAN 50 Annex D also notes the following about limiting allowable blast levels below the accepted parameters set out in PAN 50:

"Whilst it is recognised that under exceptional circumstances it may be appropriate that (blast) levels are set beyond the range of between 6 to 10 mm/s⁻¹, such circumstances should be carefully examined because levels ... lower than the recommended range may well, in practice, result in a greater number of blasting events in order to produce the same extraction rate, which could be environmentally counterproductive."

2.4.19 Given this clear advice, and the modest levels of blasting demonstrated in paragraph 2.4.16 and Annex 2 of this report of handling, it is therefore considered that any suggestion of reducing permitted blast limits lower than the PAN 50 guide levels is inappropriate and unnecessary. There is no evidential basis, given the accepted, scientifically based guidance on blast levels, and the level of blasting that has been demonstrated over the lifetime of the quarry, to conclude that residential properties could be structurally affected by blasting at Balmullo Quarry. The recommended Condition 10 therefore, aligns with the applicant's proposed Condition 16, with the exception of the replacement of the wording "over any consecutive block of 20 blasts" with "over a 6-month period", in terms of controlling blast energy levels.

Blast frequency

2.4.20 With respect to any suggestion that the number of blasts at Balmullo Quarry should be limited, it is considered that this is unnecessary, given the demonstrated frequency of blasting at the quarry and adherence to permitted blast energy levels across a consistent period of 3 years, and to PAN 50's advice on the matter as follows:

"Occasionally permissions include a limitation as to the number of blasts permitted on a daily or weekly basis, typically varying from one or two blasts per day to one or two blasts per week. With the adoption of suitable site-specific vibration criteria, such a condition is unnecessary."

Air overpressure

2.4.21 With respect to comments made in relation to air overpressure, PAN 50 (sections 33 to 38) and its Annex D contains detailed guidance on the subject. Air overpressure is a pressure wave in the atmosphere produced by the detonation of explosives, which consists of both audible (noise) and inaudible (concussion) energy. Routine blasting operations regularly generate air overpressure levels at the closest of adjacent property of around 120 dB. For context, the pressure equivalent of 120 dB will be generated by a constant wind velocity of just 5 m/s⁻¹ (Beaufort force 3, gentle breeze) whilst an air overpressure of 130 dB is equivalent to a wind velocity of less than 8 m/s⁻¹ (Beaufort force 4, moderate breeze). Such magnitudes will be perceived by individuals although they are entirely safe.

2.4.22 Largely due to the vagaries of the Scottish weather (and the impact which, for example, low cloud can have on human perception of air overpressure) PAN 50 does not recommend the use of conditions to control maximum permitted levels of air overpressure (as it does in setting maximum permitted energy levels for ground vibration). Minimising air overpressure at source, such that, even under unfavourable weather conditions, all such energy is within acceptable criteria at distance, remains the best practicable approach. It is an approach that all surface mineral sites are obliged to follow under the provisions of The Quarries Regulations 1999. Practical problems may arise when measuring air overpressure under windy conditions since wind is itself a pressure variation that may mask the blast generated pressure wave. It is also the case that due to the unpredictable and uncontrollable effects of prevalent atmospheric conditions, the location at which the maximum air overpressure is expected cannot be determined with any degree of accuracy. Hence, demonstration of compliance with any specific air overpressure limit is not a practical possibility.

2.4.23 Instead, PAN 50 indicates that an operator should agree a scheme for the control of air overpressure with the Planning Authority, based on industry best practice, which includes measures such as: using detonating cord sparingly (detonating cord can produce high frequency, therefore significantly loud, noise – especially if left uncovered); reducing stemming release (i.e. a spout of material from boreholes, another source of high frequency noise); carefully calculating the amount of explosive required (excess explosive can lead to the escape of high velocity gases, again a source of high frequency air overpressure); and setting out the procedure to be used. The recommended Scheme of Blast Monitoring, which follows PAN 50

advice in containing a list of measures to be employed to control the effect of Air Overpressure, is attached as Annex 4 to this Report of Handling. More modern “in-hole” blast initiation techniques have largely rendered the use of surface lines of detonating cord obsolete since PAN 50 was written and the applicant has detailed in the submitted Scheme of Blast Monitoring that there is a self-imposed “prohibition on the use of a detonating cord on the surface of the blast.”.

Monitoring locations

2.4.24 The revised Scheme of Monitoring submitted by the applicant indicates that, “at a minimum” each blast shall be monitored at Woodfield. Analysis of the Blast Record for the quarry (Annex 2 to this report of Handling) indicates that monitoring has taken place at alternative locations on occasion, presumably in response to complaints about blast vibration levels being made to the quarry from the residents of those locations. The applicant has indicated a willingness to provide a second instrument at another location, should that be required. Fife Council’s assessment is that it is appropriate that Woodfield, being the closest residential receptor remains the primary blast monitoring location but that, if requested by the BQLC, a second monitoring location will be established for particular blasts in addition to (rather than instead of) monitoring at Woodfield. The recommended Scheme of Blast Monitoring attached as Annex 4 to this Report of Handling contains text clarifying this matter.

2.4.25 With respect to concerns expressed around the lack of monitoring at the communications mast at the top of Lucklawhill, and the water reservoir, no representation or objection has been received from the owner/operator of the mast or reservoir in relation to this application generally, or with specific regard to blasting at Balmullo Quarry, and Planning Services is unaware of any complaint ever having been made in relation to either structure over the lifetime of the quarry. Whilst it is an existing (and proposed) condition of planning permission to monitor at these locations, the permitted level (50 mm/s^{-1}) is several orders of magnitude greater than the levels prescribed to protect residential amenity, which evidence shows aren’t close to being reached, so there is no realistic chance of blasts ever reaching such values. This being the case, monitoring at the hill-top and water reservoir is not viewed as necessary and, consequently, the failure to do so has not been considered to be a serious breach of conditions. PAN 50 Annex D indicates that, “engineered structures such as industrial and heavy commercial buildings and underground constructions are able to sustain higher levels of vibration than those applicable to residential type properties by virtue of their more robust design.” Given this, it is recommended that reference to the 50 mm/s^{-1} levels (and by extension the implied requirement to monitor) at the hilltop mast and the water reservoir, is removed from the recommended Condition 10 covering acceptable blast energy levels.

Warning siren and blast notification

2.4.26 With respect to calls for the instatement of a warning siren in the village, to be sounded before a blast, Fife Council’s Planning Services concurs with the operator’s view that the primary purpose of the warning siren is for the safety of site workers during blast operations, i.e. those working within the site and under the terms of Health and Safety legislation and the Quarries Regulations. There has been discussion on this matter at the BQLC meetings, and it is considered that it is matter best dealt with through that forum, rather than a matter for conditions of planning permission.

2.4.27 Similarly, there are numerous ways for operators to forewarn local communities of forthcoming blasts (including posting notices locally, informing the Community Council, advertising on social media) all of which are within the spirit of the PAN 50 guidance. Breedon deals with this at present on a personal level, by individually telephoning residents who have

expressed a desire to be personally informed 1 to 2 hours in advance of a blast. This is a matter best decided directly between the operator and the local community and there has already been discussion on this matter at the BQLC meetings. Again, it is considered that this is also a matter best dealt with through that forum, rather than a matter for conditions of planning permission.

2.4.28 Overall therefore, Fife Council as Planning Authority is content that the recommended conditions set out below and in Section 6.0 of this report of handling, comply with the Development Plan and other guidance, including industry best practice, with respect to controlling the environmental effects of blasting at Balmullo Quarry.

2.4.29 The **RECOMMENDED** conditions covering blasting are Conditions 10, 11, 12, 13 and 14 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which read as follows:

“10. Maximum ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/s^{-1} in 95% of all blasts measured over any period of 6 months and no individual blast shall exceed a peak particle velocity of 10 mm/s^{-1} as measured at vibration sensitive buildings. The measurements to be the maximum of 3 mutually perpendicular directions taken at the ground surface at any vibration sensitive building.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

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

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

12. Blasting, and blast monitoring, shall be carried out in accordance with the Blast Vibration Monitoring Scheme, Rev 1 (July 2025), as amended (September 2025), which Scheme is hereby approved.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.

13. Arrangements for the advance notification, to local residents and Fife Council, of forthcoming blasts shall be agreed between the applicant, Fife Council and the local community through the meetings of the Balmullo Quarry Liaison Committee.

Reason. In the interests of community engagement and health and safety.

14. The best current industry practice shall be adopted to reduce the effects of air overpressure on any noise sensitive building or structures; the details of the methods to be employed to achieve this shall be in accordance with the approved Blast Vibration Monitoring Scheme, Rev 1 (July 2025), as amended (September 2025).

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.”

2.5 Dust and Air Quality

2.5.1 PAN 50 provides guidance to the industry and decision makers with respect to dust and air quality at quarries. PAN 50, and its Annex B – The Control of Dust at Surface Mineral Workings, recognise dust as a significant environmental concern associated with surface mineral workings, with potential impacts extending up to 1km from the source. Dust can cause visual intrusion, soiling of surfaces, contamination of watercourses, vegetation, and sensitive equipment, and may lead to nuisance complaints. Current evidence shows that respirable dust particles are unlikely to pose a health risk off-site, though larger particles may still cause irritation. Planning authorities should liaise with pollution control bodies and consider air quality objectives, particularly for PM₁₀ particles, under the Air Quality Regulations 1997. A dust assessment study is recommended for all new or extended mineral workings, identifying sources and mitigation measures. Best practice includes careful site layout to position dust-generating activities away from sensitive uses, use of screening and sheltering features, and minimising material handling. Operators should employ dust control techniques such as water sprays, windbreaks, and vegetated surfaces and may be required to suspend operations during adverse weather. Monitoring should be site specific and may include visual checks, deposition gauges, and airborne particle measurement. The emphasis is on proactive design and management to prevent nuisance, with enforcement mechanisms available where necessary.

2.5.2 **EXISTING** Conditions 14, 15, 16 and 17 of 05/00835/EEIA deal with the control of dust and air quality at the quarry.

- Existing Condition 14 indicates that “The best industry guidance shall be operated in accordance with the provisions of the submitted Dust Assessment.”
- Existing Condition 15 indicates that dust control measures must be operated in accordance with the provisions of the submitted Dust Assessment. The condition further specifies particular elements of the submitted Dust Assessment as follows:
 - The operator shall carry out a visual assessment of dust emissions on a daily basis.
 - Details of all visual assessments are to be recorded in a logbook 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.
- Existing Condition 16 covers the requirement for the submission and implementation (before the extension of the quarry began) of a Scheme of Dust Monitoring to be agreed in writing by Fife Council as Planning Authority.
- Existing Condition 17 covers the requirement for records to be kept of all air quality monitoring, together with any complaints which may be received; which records to be kept readily available for inspection if required.

2.5.3 The applicant proposes to merge the above existing dust and air quality conditions into one single condition, the applicant’s **PROPOSED** Condition 17. Proposed Condition 17 states that a Scheme of Dust Monitoring should be submitted for the approval of Fife Council as Planning Authority “within 6 months of the date of implementation of this planning permission”, with the approved scheme being implemented within two months of approval. The proposed condition goes on to specify the parameters that should be included in the scheme to be submitted as follows:

- Methods of dust management and control.
- Location of monitoring positions.
- Frequency of monitoring.

- Period of monitoring.
- Reporting of monitoring results.

2.5.4 Fife Council's Planning Services informed the applicant soon after the submission of the ROMP application that the Council could not accept its proposed Condition 17, which suggested the submission of a Scheme of Dust Monitoring within 6 months of any approval of their ROMP application. The applicant was asked to submit their scheme so that it could be publicised and give interested parties the opportunity to comment upon the proposed scheme, allowing it to be assessed as part of this ROMP application. The applicant having complied with this request, Fife Council considered that the submitted Scheme of Dust Monitoring could be improved in detail and clarity and so the applicant was asked to re-submit their proposed scheme. The applicant again complied with this request, and the application was re-advertised (and the public consultation period re-opened), to allow comments and objections to be made on the proposed scheme.

2.5.5 Matters relating to dust have been the subject of a number of comments and objections received to this ROMP application, with the view expressed by SLCAG and Balmullo CC that the applicant's proposed dust control measures are weaker than the existing ones. Daily visual assessments and detailed record-keeping have been removed and should be reinstated, along with the requirement to cease dust-generating activities during adverse conditions. It is noted that monitoring is currently limited to one property, Woodfield, but it is contended that the rest of Balmullo, including the school, should also be monitored. It is considered that there is a requirement for better use of dust suppression equipment like the water bowser. Complaints should be logged and shared with both the Balmullo Quarry Liaison Committee (BQLC) and Fife Council's Public Protection team. Balmullo Community Council suggests that vehicle-generated dust must be controlled in accordance with SEPA permit PPC.E.30065.

2.5.6 Concerns generally have been raised by local residents regarding perceived non-compliance with existing planning conditions, including poor dust control, which needs to be monitored better. The residents of the closest residential property to the quarry, Woodfield, state that dust monitoring there has been inconsistent and unreliable. A monitor was installed after the existing planning approval but was poorly maintained and eventually removed. Whilst a new monitor was placed earlier this year, residents express little confidence in its effectiveness and doubt that it is being checked monthly as required.

2.5.7 Beyond the "nuisance" aspect, the potential adverse effects of dust (and silica dust in particular) in relation to health are raised as concerns, with residents indicating their fears around silica's links to respiratory diseases and cancer, which are worrying given the quarry's proximity to homes and the local school. There is a recommendation from SLCAG to institute quarterly silica analysis as part of the Scheme of Dust Monitoring.

2.5.8 In response to these objections, the applicant indicates that the purpose of the ROMP process is to replace any outdated conditions with modern equivalents. The revised Scheme of Dust Monitoring proposes the use of Frisbee Deposit Dust Gauges with a Directional Adhesive Strip attachment for objective and accurate continuous monitoring; which monitoring is carried out by a specialist third party contractor. In addition, however, the applicant also proposes additional sample monitoring using High Volume Samplers, which add an enhanced level of monitoring dust from the quarry. The applicant notes that there are other potential sources of dust in the area (e.g. from agricultural operations), and the directional analysis of surface soiling during 2024 showed that, whilst there is a degree of dust from the direction of the site (to the north-west), other land uses to the south also contribute to the baseline dust levels recorded. The dust control and mitigation measures (e.g. twice-weekly road sweeping) that are in place at the quarry currently would continue to be employed during the ongoing operation of the quarry.

The applicant indicates that the frequency of road sweeping was increased in response to concerns raised by the community at the pre-application consultation events.

2.5.9 The applicant notes that dust monitoring records are, and can continue to be, provided to the BQLC as well as the Planning Authority in accordance with the agreed schedule in the re-submitted Scheme of Dust Monitoring. The applicant indicates that dust monitoring is carried out at a location representative of the nearest property (Woodfield), which represents a worst-case scenario; the applicant considers that it is not necessary to monitor elsewhere in the village.

2.5.10 With regard to calls from Balmullo CC that vehicle-generated dust must be controlled in accordance with SEPA permit PPC.E.30065, the applicant points out that any monitoring carried out by SEPA in relation to the site's PPC Permit is separate to the planning process, as noted in PAN 51: Planning, Environmental Protection and Regulation.

2.5.11 In relation to comments related to potential adverse health impacts of silica dust, the applicant states that Balmullo Quarry employees undergo regular health monitoring and no health concerns relating to breathing in silica dust have ever been found among the workforce.

2.5.12 Taking into account all of the above, Fife Council's Planning Services' concurs with the view of objectors that the applicant's revised Scheme of Dust Monitoring appears weaker with the removal of particular wording related to daily inspections, record keeping and a commitment to halt operations when dust conditions are beyond acceptable limits. To that end, the following wording from existing Condition 15 shall be reinstated to the revised Scheme of Dust Monitoring, which is attached as Annex 5 to this Report of Handling, and thereafter adhered to under the terms of recommended Condition 15:

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

2.5.13 Planning Services considers that the additional sample dust monitoring proposed by the applicant, employing High Volume Samplers, represents an improvement in the proposed dust monitoring regime by supplementing and complementing the existing continuous dust monitoring technology in place in the form of Frisbee Gauges and directional adhesive strips. The revised Scheme of Dust Monitoring should, however, contain more narrative on the use of the High Volume Samplers, indicating that the bi-annual sample monitoring proposed will be carried out when conditions are dry, such that samples obtained represent a "worst-case" representation of the longer-term dust environment.

2.5.14 In relation to additional dust monitoring locations, it is common practice across Fife's Quarries for there to be more than one dust monitoring location, with any additional location responsive to the specific concerns of the local community. Planning Services' assessment is that it is appropriate that Woodfield, being the closest residential receptor remains the primary dust monitoring location but that, if requested by the BQLC, a second monitoring location will be established in addition to (rather than instead of) monitoring at Woodfield.

2.5.15 The revised Scheme of Dust Monitoring has been updated to clarify the matters discussed in paragraphs 2.5.12 to 2.5.14, above, and is attached as Annex 5 to this Report of Handling.

2.5.16 With respect to the objections and comments related to the health implications of fugitive dust from Balmullo Quarry, and whilst sensitive to the concerns that have been expressed within the local community, such wider public health matters are not a material planning consideration and cannot therefore be addressed in this ROMP application, either through conditions of planning permission or inclusion in the approved Scheme of Dust Monitoring. The reduction, monitoring and mitigation of fugitive dust at source, as set out in PAN 50, is the primary purpose of the planning system in this context and Fife Council's Planning Services' assessment of this matter is that the applicant's Scheme of Dust Monitoring (as revised and updated by this ROMP process) meets the terms of the Development Plan and PAN 50.

2.5.17 The **RECOMMENDED** condition covering the control of dust is Condition 15 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which reads as follows:

"15. The reduction, monitoring and mitigation of fugitive dust at source shall be carried out in accordance with the Dust Monitoring Scheme Rev 1 (July 2025), as amended (September 2025), which Scheme is hereby approved.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice."

2.6 Roads and Access

2.6.1 PAN 50 provides guidance to the industry and decision makers with respect to roads and access at quarries. PAN 50 and its Annex C – The Control of Traffic at Surface Mineral Workings, recognise that traffic associated with surface mineral workings can have significant environmental and community impacts both on-site and off-site. Off-site concerns include congestion, road damage, spillage, dust, noise, vibration, and visual intrusion, particularly where large vehicles use narrow or unsuitable roads. On-site, traffic mainly contributes to noise and dust near site boundaries. Planning authorities are encouraged to promote alternatives to road transport, such as conveyors or rail (where appropriate) and to consider planning conditions addressing site access, vehicle routing, sheeting, wheel washing, and hours of operation. The design of the site entrance is important for minimising hazards. It should be agreed with the roads authority during the proposal stage and align with any lorry routing agreements. Operators should avoid sensitive areas, use the agreed routes, and maintain vehicles to reduce noise and emissions. Transport Impact Assessments (TIAs) are recommended to evaluate traffic implications and propose mitigation measures. Where necessary, planning agreements or conditions may limit output rates or require infrastructure improvements. Effective site design, including the location of loading areas and haul roads, is essential to minimise disturbance.

2.6.2 **EXISTING** Conditions 18, 19, 20, 21, 22 and 24 of 05/00835/EEIA deal with matters relating to roads and access in the context of operations at the quarry.

- Existing Condition 18 covers the requirement (before commissioning the new haul road) for the operator to submit details of the means to prevent public use of the private haul road between the A914 and School Road.
- Existing Condition 19 covers the requirement for the (then) proposed access road to be constructed and commissioned prior to the commencement of works to extend the quarry.
- Existing Condition 20 covers the requirement (before the access was brought into use) to provide visibility splays of 6 metres by 210 metres in both directions at the junction of the new access with the existing road (the A914), and thereafter to maintain those visibility

splays permanently free from any obstructions exceeding a height of one metre above the adjacent road channel levels.

- Existing Condition 21 covers the requirement (before the existing planning permission was implemented) for all works on or adjacent to existing public roads to be designed and constructed to the current Fife Council Specification for Roadworks.
- Existing Condition 22 covers the requirement (before the existing planning permission was implemented) for all existing accesses, made redundant by the approved development, to be permanently closed off.
- Existing Condition 24 covers the requirement (before works commenced on the construction of the (then) proposed access road) for exact details, including variety of species and planting densities, for the proposed landscaped bunds to be submitted for the prior written approval of Fife Council as Planning Authority.

2.6.3 The applicant is proposing not to repeat existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented (namely, all of the existing Conditions 18, 19, 20, 21, 22 and 24 of 05/00835/EEIA.

2.6.4 Two proposed roads and access conditions are detailed in the applicant's ROMP submission – proposed Conditions 18 and 20.

2.6.5 The applicant's **PROPOSED** Condition 18 states that:

"The existing wheel cleaning facilities already employed at the quarry shall be utilised by heavy goods vehicles leaving the quarry unless otherwise approved in writing by Fife Council as Planning Authority."

2.6.6 The applicant's **PROPOSED** Condition 20 states that:

"Vehicular access to the site shall only be via the existing access onto Quarry Road and all vehicles routed east via the quarry's private access road to the A914."

2.6.7 Matters relating to roads and access have been the subject of a number of comments and objections received to this ROMP application, with many respondents highlighting the poor condition of the access road to the quarry and stating that it is too narrow for HGVs, some of which speed, potentially threatening the safety of walkers on the road – an issue said to be compounded by the fact that the road also has a core path designation, which means HGVs share the road with pedestrians, cyclists, and horse riders. A number of objectors were concerned that the poor road geometry would lead to a serious or fatal incident. Both SLCAG and Balmullo CC propose the implementation of a one-way system with stop lights, better signage, and lighting during winter to improve safety and reduce damage. It is contended that the large number of lorries using road has caused ditches to block and flood. There are calls for a new planning condition requiring Breedon to maintain the road at their own expense, ensuring it remains safe and usable for all.

2.6.8 In response to these objections, the applicant indicates that Quarry Road is a private and unadopted access road. The access road has numerous intervisible passing places and is generally in a good state of repair, although there are sections of the road that are in a poor condition. Whilst not the sole users of Quarry Road, the applicant acknowledges that Breedon is the primary road user and is willing to undertake reasonable improvement works. Breedon is currently exploring ways to improve drainage on the road, for example. The applicant notes that it was highlighted by members of the community at the pre-application consultation events that

at least some of the verge damage was attributable to third parties unconnected with the quarry operations. The applicant indicates that, whilst Quarry Road's designation as a Core Path is outwith Breendon's control, the company is committed to working with the Balmullo Quarry Liaison Committee (BQLC) to improve the safe use of the access road for all users. The applicant points out that it was highlighted during public consultation that the quarry vehicle drivers are always very courteous, as reported in Table 4-2 of the Pre Application Consultation (PAC) Report accompanying this ROMP submission. The applicant considers that it is unreasonable to expect them to provide winter road treatment at all times for uses of Quarry Road unrelated to quarry operations.

2.6.9 Fife Council's Transportation Development Management (TDM) team has been consulted in relation to roads and access matters in the context of this ROMP application and indicates that all the existing "pre-start" conditions (i.e. conditions 18, 19, 20, 21 and 22) have been complied with and can be omitted from any new set of conditions agreed through this ROMP process. The caveat to this is that replacement conditions are required for existing conditions 18 and 20, to ensure that the matters already complied with are maintained throughout the lifetime of the development.

2.6.10 With respect to the suggestion of the implementation of a one-way system with stop lights, TDM team indicates that, whilst the precise details of such a scheme are not specified, there are a number of considerations which would be likely to make it difficult to implement. If the suggestion is for a traffic light controlled one way system, which would give alternative priority to vehicles entering and exiting the quarry, this type of system has generally been used elsewhere to protect a weak bridge or structure with a short distance between the stop lines. It appears that the stop lines on Quarry Road would be at the quarry exit and the new Quarry Road/old Quarry Road tie-in, a distance of some 670 metres between the stop lines. This is considered to be unworkable, as the traffic lights would cause queues of waiting traffic which does not happen regularly now, and the waiting time at a red signal would be significant. In these circumstances there would be a significant risk of non-compliance with the traffic signals and drivers chasing the red signal. There are several existing vehicular accesses between the two stop line locations that would have to be considered. In general, signalised operation requires to be within a system of street lighting. If the intention is to give pedestrians priority on the core path, then this would result in very long all red periods with non-compliance of the signals being high. The proposal would not be given consideration as a mitigation measure on a public road, and it is considered to be equally unacceptable on the private Quarry Road.

2.6.11 Taking into account all of the above, Fife Council's Planning Services' assessment is that those existing planning conditions that have been complied with are now obsolete and should not be re-attached to the new set of conditions arising out of this ROMP process (i.e. existing conditions 18, 19, 20, 21 and 22). In place of existing conditions 18 and 20, however, new conditions are required to secure existing arrangements for the lifetime of the quarry – these new conditions are recommended Conditions 16 and 17 in paragraph 2.6.12 of this Report of Handling. The applicant's proposed (new) conditions 18 and 20, covering wheel wash use and HGV route protection) are welcomed as enhanced controls on traffic impacts raised by the quarry,

2.6.12 As regards the suggested introduction of a traffic light controlled one way system, there is insufficient detail as to the technical design of such a scheme for it to be considered through this ROMP process. Given the concerns of the TDM team as to the practicalities of introducing such a system, and the potential knock-on effects of traffic queuing for unusually long periods of time to HGV movements and to the local amenity, it is recommended that such an arrangement is inappropriate and unworkable for Balmullo Quarry. The applicant has indicated that they are willing to maintain dialogue with the local community regarding better shared use of the access road and it is understood that such dialogue has already taken place at the BQLC.

2.6.13 A matter which hasn't specifically been raised in comments or objections but is considered important for the good management of HGV traffic by Fife Council's Planning Services', is the use of sheeting on HGV lorries. This is common modern quarry practice, which principally assists in keeping roads clear of spilled material but can have the added benefit of contributing to fugitive dust mitigation. It is therefore recommended that a new condition requiring the use of sheeting to cover loaded HGVs is added through this ROMP process. This new condition is recommended Condition 20 in paragraph 2.6.12 of this Report of Handling.

2.6.14 The **RECOMMENDED** conditions covering roads and access are Conditions 16, 17, 18 and 19 and 20 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which read as follows:

"16. The existing arrangements designed to prevent the use of the private Balmullo Quarry haul road as a public road, as provided in compliance with Condition 18 of planning permission reference 05/00835/EEIA, shall be retained in use throughout the lifetime of the quarry.

Reason. In the interests of road safety and to ensure an acceptable access location in relation to the existing road system.

17. The existing visibility splays of 6 metres by 210 metres at the junction of the quarry access with the A914, as provided in compliance with Condition 20 of planning permission reference 05/00835/EEIA, shall be permanently maintained free from any obstructions exceeding a height of one metre above the adjacent road channel levels.

Reason. In the interests of road safety.

18. The existing wheel cleaning facilities already employed at the quarry shall be utilised by heavy goods vehicles leaving the quarry unless otherwise approved in writing by Fife Council as Planning Authority.

Reason. In the interests of road safety, to prevent the deposit of deleterious material to the road surface, and local amenity.

19. Vehicular access to the site shall only be via the existing access onto Quarry Road and all vehicles routed east via the quarry's private access road to the A914.

Reason. In the interests of road safety and local amenity.

20. All loaded HGVs entering or leaving Balmullo Quarry shall employ appropriate sheeting to cover loads being carried.

Reason. In the interests of local amenity."

2.7 Annual Output

2.7.1 PAN 50 provides guidance to the industry and decision makers with respect to annual output at quarries. PAN 50's Annex C – The Control of Traffic at Surface Mineral Workings notes that, in certain cases, it may be appropriate to limit the rate of output from a mineral site through a planning agreement, such as requiring a log of vehicle movements via an exit weighbridge. Where alternative transport modes exist, restricting the volume of material dispatched by road can help prevent future increases in traffic and associated environmental impacts.

2.7.2 **EXISTING** Condition 23 of 05/00835/EEIA deals with matters relating to the maximum annual output of the quarry, stating that extraction and exportation of material from the site shall not exceed 150,000 tonnes per annum unless otherwise agreed in writing with Fife Council. Any such request to vary the terms of this condition is to be accompanied by a detailed breakdown of the additional extraction/exportation tonnage and details of the additional number and timings of vehicle trips generated. Fife Council as Planning Authority reserves the right to request an application for planning permission to vary the terms of this consent should it be deemed acceptable to do so.

2.7.3 The control of annual output is detailed in the applicant's **PROPOSED** Condition 2, which indicates that the rate of extraction shall not exceed 150,000 tonnes per annum, unless otherwise approved in writing by Fife Council as Planning Authority; with a record of the quality, type and principal destinations of material leaving the quarry to be submitted to Fife Council as Planning Authority every six months.

2.7.4 Matters relating to annual output have been the subject of a number of comments and objections received to this ROMP application. Balmullo CC indicates that Fife Council should monitor extraction rates as they move towards "the 2029 closure date", and a local resident similarly requested that there should be a log of rock extraction to ensure compliance with permitted extraction quantity levels. Balmullo CC suggests that such monitoring can be achieved by the addition of the word "quantity" to the second sentence of proposed Condition 2, such that it would read "a record of the quantity, quality, type and principal destinations of material leaving the quarry to be submitted to Fife Council as Planning Authority every six months".

2.7.5 Other than challenging the "2029 closure date" reference (see the applicant's comments in paragraph 2.10.10 of this Report of Handling), Breedon indicates that it has no concern with regard to the comments made and is content with the CC's proposal to amend proposed Condition 2 by adding the word "quantity" as suggested.

2.7.6 Taking into account all of the above, Fife Council's Planning Services' assessment is that, since there is no proposed change to the maximum annual output of the quarry, and the applicant is content to address concerns expressed by objectors through the insertion of the word "quantity" into the wording of the applicant's proposed Condition 2, that this should be the preferred means of dealing with this matter. However, given the rate of extraction is set at an annual level, there would be little benefit in receiving submissions on the output every six months and the proposed condition also seeks to amend this to reflect the requirement for annual submissions.

2.7.7 The **RECOMMENDED** condition covering annual output, therefore, is Condition 21 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which reads as follows:

"21. The rate of extraction shall not exceed 150,000 tonnes per annum, unless otherwise approved in writing by Fife Council as Planning Authority; with a record of the quantity, quality, type and principal destinations of materials leaving the quarry each year to be submitted annually to Fife Council as Planning Authority.

Reason. In the interests of road safety and local amenity."

2.8 Restoration

2.8.1 PAN 50 provides guidance to the industry and decision makers with respect to restoration at quarries. Restoration is a critical component of minerals site management, with the potential to significantly reduce long-term environmental impacts. Poorly planned restoration can result in permanent landscape damage, such as the removal of natural features or the introduction of artificial ones like quarry faces. Planning authorities are encouraged to set conditions covering the sequence of working, progressive restoration, planting requirements, soil handling and reinstatement, and the treatment of haul roads. Operators should adopt a proactive approach to landscape planning, integrating restoration into the working strategy from the outset. Topsoil and subsoil are vital resources for restoration and must be carefully conserved, not treated as waste. Waste materials should be minimised, reused where possible, and incorporated into restoration efforts. Progressive restoration within the workings is preferred, with temporary waste heaps removed within agreed timeframes. Post-operational stages should include completion of restoration, aftercare, and transition to the approved after use, supported by ongoing monitoring and periodic review of conditions to ensure compliance and alignment with current environmental standards.

2.8.2 Planning Advice Note 64: Reclamation of Surface Mineral Workings (2003) gives advice on how mineral operators and planning authorities can ensure that mineral workings are reclaimed to a high standard as soon as possible after working has ceased. Whilst the main body of PAN 64 contains general advice on reclaiming mineral workings, Annex A of PAN 64 (Mineral Workings in Scotland) provides more-specific guidance on the reclamation and restoration of Hard Rock quarries. PAN 64 Annex A acknowledges that many hard rock quarries were granted planning consent following the second world war when environmental considerations were not given the weight they are today; many were worked with little regard to reclamation, and it acknowledges that older hard rock quarries may face restoration challenges in terms of inadequate supply of soil resources and other fill materials

2.8.3 **EXISTING** Condition 25 of 05/00835/EEIA deals with matters relating to restoration in the context of operations at the quarry, indicating that;

“Detailed scale plans of the excavation and restoration proposals at key phases of the project implantation, shall be submitted for the prior written approval of Fife Council as Planning Authority. Detailed written specifications of the phased restoration should be produced and agreed in writing with Fife Council. Such specifications should include:

- (a) Written statement of intended outcome for restoration in each key area
- (b) Description of specific techniques for the preparation of existing rock faces and other surfaces
- (c) Description of ground preparation techniques
- (d) Description of planting and/or seeding specification including plant or seed origin
- (e) Detailed timetable for implementing the restoration works showing key phases of the restoration proposal and key restoration targets/outcomes.”

2.8.4 Restoration is detailed in the applicant’s **PROPOSED** Condition 4, which states that:

“Restoration shall be carried out in accordance with the approved scheme with reference Dalgleish Associates (22.11.04) Quarry Restoration Proposals Figure 3.4”

2.8.5 Matters relating to restoration have been the subject of a number of comments and objections received to this ROMP application. Both SLCAG and Balmullo CC state the view that the existing Restoration Plan is outdated and there has been no visible progress since the last permission was granted. There is criticism from one local resident that the current restoration plan is minimal and urges environmental improvement that goes beyond industry standards. There is a suggestion from a number of respondents that Breedon should provide updated restoration plans with clear specifications and timelines, involving the local community and conservation groups in the restoration process to align with the “scheduled closure in 2029”. There are calls for updated restoration plans to be aligned with current environmental standards and best practices around biodiversity and climate concerns, with the view expressed that the current restoration scheme predicated on heathland recreation is “unworkable”. Others express the need for continuous and meaningful restoration throughout and beyond the quarry’s remaining life, whilst one local resident considers that filling in the current quarry with land taken from new workings is “ridiculous”, as the earth mounding used would have no vegetation by the time it is used as infill.

2.8.6 In response to these objections, the applicant considers that as there is no change proposed to the permitted working scheme and extraction limits, the current restoration scheme approved under the existing planning permission 05/00835/EEIA (Dalglish Associates - 22.11.04 - Quarry Restoration Proposals - Figure 3.4) remains fit for purpose. The applicant indicates the view that the potential for progressive restoration is limited at Balmullo Quarry due to the landform and working scheme. Following completion of extraction, the quarry will be restored in accordance with the approved Dalglish Associates restoration scheme; a scheme devised by a specialist mineral consultancy with the appropriate experience and expertise to advise on restoration techniques. The applicant is clear that heathland creation is a tried and tested restoration technique, used successfully on other quarry sites, and points out that the views of the local community were clear at the pre-application consultation events that they wished to see the quarry restored as per the agreed scheme. With specific regard to comment on the use of soils placed in earth mounds, the applicant notes that stockpiling soils and overburden for use in restoration works is a standard quarry restoration technique, which is tried and tested across the industry.

2.8.7 Ironside Farrar, Fife Council’s appointed independent Planning Conditions Monitoring Officers for Balmullo Quarry, indicate in relation to restoration matters that Balmullo Quarry is a very compact operation, and restoration is largely focussed on the design then working of the benches to allow vegetation to develop as working ceases. This is unlike many other quarry sites where there is significant overburden to temporarily store then move back into a new position to comply with the originally agreed restoration plan.

2.8.8 Fife Council’s Planning Services’ assessment must take into account all of the above. The existing restoration plan was approved by Planning Committee under 05/00835/EEIA in the light of all the relevant information available at the time, including a full EIA, and having cognisance of the many years of previous quarrying that led to the extraction position at Balmullo Quarry. Given that long history, the justification to make changes to the restoration plan at this stage is significantly constrained, given there are no changes proposed to working practices, annual output or to the extent of the quarry, the agreed restoration plan remains valid in the context of the existing planning permission. It is, however, considered appropriate to specify in the recommended restoration condition, the timeframe within which restoration shall be completed by the operator.

2.8.9 The **RECOMMENDED** condition covering restoration therefore is Condition 22 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which reads as follows:

“**22.** Restoration shall be carried out in accordance with the approved scheme with reference Dalgleish Associates (22.11.04) Quarry Restoration Proposals Figure 3.4, approved under planning permission reference 05/00835/EEIA. Restoration shall be complete within twelve months of the date of cessation of mineral extraction at Balmullo Quarry.

Reason. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.”

2.9 Ecology and Nature, the EIA and Climate Change

2.9.1 PAN 50 provides guidance to the industry and decision makers with respect to ecology and nature at quarries. PAN 50 recognises that mineral workings can affect local ecology, particularly through noise disturbance to animals and birds, and through severance of habitats and access routes. Severance may restrict access any recreational areas and disrupt wildlife movement, cutting animals off from feeding grounds. Operators are encouraged to monitor neighbouring land, crops, and ecological features during operations to identify emerging issues early. Planning authorities should consider these ecological impacts as part of the EIA process, ensuring that restoration and mitigation measures support biodiversity and climate resilience. Whilst PAN 50 does not provide extensive guidance on climate change, the principles of progressive restoration, habitat protection, and landscape integration contribute to broader environmental sustainability goals.

2.9.2 **EXISTING** Condition 26 of 05/00835/EEIA deals with matters relating to ecology and nature in the context of operations at the quarry. This states that:

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

2.9.3 the applicant’s proposed ecology and nature condition is detailed in **PROPOSED** Condition 19, which states that:

“FOR THE AVOIDANCE OF DOUBT, any tree felling/vegetation removal work or works must be carried out outwith the bird breeding season (i.e. March to August inclusive). If such works are required within the breeding season, a nesting bird survey shall be carried out by a suitably qualified ecologist to assess the presence of nesting birds and recommend appropriate mitigation of works to protect potentially affected species. The survey shall be submitted for the prior written approval of Fife Council as Planning Authority before any tree felling/vegetation removal work or works which affect existing nests is carried out.”

2.9.4 Matters relating to ecology and nature (including the EIA and climate change) have been the subject of a number of comments and objections received to this ROMP application. SLCAG and others contend that the quarry has led to the loss of nesting sites for protected bird species like peregrines and fulmars and urge Breendon to designate new nesting areas and reinstate previous ecological protections to help restore biodiversity. It is suggested that any new ecology condition(s) should have wildlife safeguards built in, and which reflect the area's rich biodiversity and address climate and conservation concerns. Further, in addition to the nuisance and potential health impacts to humans of dust from the quarry, it is stated that fine dust particles can also lead to environmental damage to vegetation.

2.9.5 Objectors specifically raised the matter of lighting at the quarry in the context of ecological protection, with Breedon being urged to switch off quarry lights overnight, specifically from one hour after sunset to one hour before sunrise, to protect local wildlife on Lucklawhill. The reason behind this request is that it is contended that light pollution disrupts moth behaviour and contributes to their population decline. Additionally, lighting impacts foraging bats recorded in the Local Nature Conservation Site at the top of Lucklawhill. Artificial light reduces their foraging area and disturbs their nocturnal habits. Conservation groups like Butterfly Conservation and the Bat Conservation Trust highlight the ecological harm caused by unnecessary lighting.

2.9.6 SLCAG makes a very detailed objection contending that the EIA report submitted by Breedon fails to adequately address climate change, despite Fife Council's directive at pre-application stage to integrate it across all relevant chapters. SLCAG indicates that the report only discusses climate change in the Water Environment chapter, neglecting its implications for ecology, geology, soils, transportation, and mitigation. There is no modelling of how future climate scenarios might affect hydrology, runoff, or flood risk at the quarry site. Similarly, one objector commented that, within the more generalised issue of anthropogenic climate change, we must aim to reduce our unsustainable reliance on extractive industries, in particular where the extracted materials cause further detriment to the environment when used in, for example, road building. One objector links the quarry's operations to broader concerns about climate change and unsustainable extractive industries, arguing against extending the quarry's life (which is not part of this application) and noting that materials extracted contribute to environmental degradation. Another objector states that there is a quarry at St Michaels producing the same stone so there are alternative areas to quarry, where lots of families don't live, and who want to enjoy the beauty of Lucklaw Hill.

2.9.7 In response to these objections, the applicant notes in EIA Report Chapter 9: Ecology (paragraphs 9.169 and 9.171) that there are incidental records of peregrine falcon being sighted in the east of the quarry in the winter months and they were observed on Lucklaw Hill during the 2023 ecological surveys. However, the breeding status of peregrine falcon within the quarry is unconfirmed. It is noted that peregrine falcon is listed on Schedule 1 of the Wildlife and Countryside Act 1981 and is therefore afforded additional protection during the breeding season from reckless or intentional disturbance (section 5.8 of Appendix 9-2: Preliminary Ecological Appraisal & Protected Species Survey Results). The Appendix PEA-03 Desk Study Data includes ten records of fulmar within 2km of the site; the most recent of these being from 2017. Whilst there are no current incidental records, or ecological survey observations of fulmar in or near the site, all wild birds in Great Britain are protected under the Wildlife and Countryside Act 1981 and the Birds Directive (Directive 2009/147/EC). Whilst Breedon do not object to specifying particular species within the condition, it seems unnecessary to the applicant given the legal protection afforded to all wild birds, and the mitigation measures (EIA Report Chapter 9: Ecology, paragraph 9.247) in place in relation to breeding birds.

2.9.8 The applicant indicates that lighting is required in the quarry for health and safety reasons. Lighting is motion-sensor controlled, hooded and directional to minimise light spill. There would be no change to the lighting regime within the quarry as a result of the continued operations therefore there is no predicted impact on moth species. Similarly, for the same reasons, there is no predicted impact on bat species.

2.9.9 In response to the objections and comments around sustainability and climate change, the applicant indicates that this ROMP process does not provide an opportunity to reconsider the existing planning permission for the quarry. However, the applicant notes that new quarries on greenfield land are rare, therefore it is essential that the full potential of existing sites is realised to meet the demonstrable need for aggregates. Alternatives are considered in the submitted EIA Report. The applicant indicates that aggregates landbanks assume a significant contribution towards supply of recycled and secondary aggregates. Furthermore, aggregates are not a

homogenous product and therefore primary quarry-won aggregates are still required for a variety of purposes. It is acknowledged that the extraction, processing and transportation of minerals using fossil fuels results in greenhouse gas (GHG) emissions. However, the scale of emissions from mineral extraction is relatively small. The Office for National Statistics reports atmospheric emissions of GHGs by industry for the UK. For the most recent year (2023) available, the 'mining and quarrying industry' as a whole accounted for circa 3.3% of GHG emissions. The figure for 'other mining and quarrying products' (which would include aggregates) is 0.27% of UK GHG emissions. Nonetheless, as noted in EIA Report Chapter 4: Approach to EIA, Breedon is committed to decarbonising their operations and operate accredited environmental and energy management systems and in addition, has implemented targets for the reduction of all greenhouse gas emissions across the Group. Energy usage, carbon emissions, water usage and waste production are monitored on site and other measures such as use of electric plant are employed wherever practicable.

2.9.10 The applicant further indicates that the flood risk assessment included within EIA Report Chapter 14: Water Environment has adequately assessed the potential future changes to baseline conditions attributable to the effects of climate change in accordance with industry best practice guidance. The quarry is stripped to its full permitted extent therefore there would be no vegetation removal or soil stripping as part of the continued operations. There is therefore no need to assess the climate change impacts of these operations.

2.9.11 With regard to the specific comment about another quarry at St Michaels, the applicant indicates that aggregates are not a homogenous product, and St Michael's Quarry works a sand and gravel deposit, which is not equivalent to the red felsite worked at Balmullo Quarry.

2.9.12 NatureScot has been consulted in relation to ecology and nature matters in the context of this ROMP application and indicates that the applicant's proposed Condition 19 should include reference to the fulmar and peregrine nesting, alongside the wider bird nesting protection wording already proposed.

2.9.13 Fife Council's Natural Environment specialist has also been consulted in relation to ecology and nature matters in the context of this ROMP application and is content with the updates included within the Periodic Review Schedule for the existing consented operation.

2.9.14 Taking into account all of the above, Fife Council's Planning Services' assessment in relation to the wildlife safeguards is that, whilst the existing Condition 26 specified two species, (fulmar and peregrine falcon) in relation to the protection of nests, the applicant's proposed Condition 19 seeks to update that by the inclusion of all wild bird species, in line with the provisions of the Wildlife and Countryside Act 1981 and the Birds Directive (Directive 2009/147/EC). Whilst the applicant hasn't considered it necessary to specify fulmar and peregrine falcon in their proposed condition (as they are wild bird species and therefore protected under the legislation along with all other species), Planning Services is guided by the consultation response from NatureScot, which recommends that specific mention of these two species is made in the condition. It is therefore considered that this is reflected in the recommended Condition 23, as below in paragraph 2.9.17 and in Section 6.0 Recommendation of this Report of Handling.

2.9.15 With regard to lighting at the quarry, Planning Services is cognisant of the requirements of the Quarry Regulations in regard to lighting at Balmullo Quarry, to ensure the safety of people in the quarry. Neither NatureScot nor Fife Council's natural environment specialist have objected to the current lighting regime or indicated that bats and moths are being negatively impacted. Given also that there is no change to the current lighting regime (which would have

been considered at the time of the original planning application), Planning Services is therefore not minded to recommend any new or updated condition on this matter.

2.9.16 Addressing the objections relating to calls for this ROMP process to revisit the principles of whether quarrying at the site remains appropriate in the light of climate change and the push to a more sustainable economy and environment, Fife Council's Planning Services' assessment is that examining sustainable alternatives to quarrying at Balmullo is not a relevant consideration for this ROMP application. This is on the basis that these objections seek (by implication) to promote fundamental changes to the existing planning permission in relation to the principle of minerals extraction, and to the acceptability of the use of quarried material for other uses, based on considerations of climate change and sustainability. Fife Council cannot (as previously indicated in paragraph 1.2.3 of this Report of Handling) revisit the principle of whether the quarry should be allowed, as this has been established by the existing permission, a permission granted in the light of a full EIA process at the time. Planning Services is therefore not minded to recommend any new or updated condition on this matter.

2.9.17 The **RECOMMENDED** condition covering ecology and nature therefore is Condition 23 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which reads as follows:

"23. FOR THE AVOIDANCE OF DOUBT, any tree felling/vegetation removal work or works must be carried out outwith the bird breeding season (i.e. March to August inclusive). If such works are required within the breeding season, a nesting bird survey shall be carried out by a suitably qualified ecologist to assess the presence of nesting birds and recommend appropriate mitigation of works to protect potentially affected species, including fulmar and peregrine falcon. The survey shall be submitted for the prior written approval of Fife Council as Planning Authority before any tree felling/vegetation removal work or works which affect existing nests is carried out.

Reason. In the interests of protecting and preserving the ecological heritage."

2.10 Other Matters

Implementation of any ROMP approval

2.10.1 **EXISTING** Condition 1 of 05/00835/EEIA requires the implementation of the planning permission to be in accordance with the approved EIA and plans accompanying the planning permission. The exact wording states that:

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

2.10.2 The applicant's **PROPOSED** Condition 1 aims to bring the existing condition up to date, stating that:

"The development hereby approved shall be implemented in accordance with the Environmental Impact Assessment Report prepared by SLR Consulting Limited (January 2025) and the mitigation measures listed therein, and the plans stamped as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been approved in writing by the Planning Authority."

2.10.3 No matters relating to the applicant's proposed Condition 1 have been raised in the comments and objections to this ROMP application and Fife Council's Planning Services' assessment is that the applicant's proposed Condition 1, covering operating hours, is acceptable.

2.10.4 The **RECOMMENDED** condition covering the implementation of any approval of this ROMP application is Condition 24 in the list of recommended conditions contained in section 6.0 (Recommendation) of this Report of Handling, which reads as follows:

"24. The development hereby approved shall be implemented in accordance with the Environmental Impact Assessment Report prepared by SLR Consulting Limited (January 2025) and the mitigation measures listed therein, and the plans stamped as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been approved in writing by the Planning Authority.

Reason. To ensure that the development is carried out in accordance with the approved plans, unless otherwise agreed in writing with Fife Council as Planning Authority."

Balmullo Quarry Liaison Committee (BQLC)

2.10.5 A number of comments and objections were raised regarding the BQLC. Both SLCAG and Balmullo CC commented on the lack of ongoing community liaison, noting that the BQLC was only recently revived after pressure. They propose a planning condition to ensure the BQLC meets regularly (every two months was suggested) and includes representatives from Breedon, the community, and the Council, with regular updates on noise, dust, and blasting. It is considered that this would ensure transparency and accountability, addressing long-standing concerns.

2.10.6 In response to these objections, the applicant indicates that the requirement for a BQLC will be carried forward into the updated Section 75 legal agreement and, as such, there is no need to duplicate this requirement in a planning condition. The applicant indicates that Meetings with the BQLC are currently held quarterly, with this considered to be sufficient. Reporting of monitoring results to the BQLC would be carried out at the same frequency as to the Planning Authority and in accordance with the schedules within the relevant monitoring schemes.

2.10.7 Taking into account all of the above, Fife Council's Planning Services' assessment is that it concurs with the view expressed by the applicant that there is no requirement to repeat, as a condition of planning permission, any matter that is addressed through a Section 75 agreement. The applicant has reinstated regular BQLC meetings and the BQLC has agreed a quarterly frequency for meetings. Should the BQLC consider that more (or less) frequent meetings are appropriate in future, for whatever reason, that is essentially a matter for the BQLC to agree.

2.10.8 It is **RECOMMENDED** that the arrangements for the BQLC should not be the subject of a new or updated planning condition but should be included within the Section 75 Agreement required to accompany any grant of planning permission for this ROMP application. Those details shall be the current BQLC arrangements as indicated in the meeting notes of the BQLC.

Expectations of Quarry Closure

2.10.9 A number of comments and objections were raised regarding the expected closure date of Balmullo Quarry. Many objectors commented that their understanding was that the quarry would be closing in 2029, at the end of the current planning permission. Some expressed the view that they had supported the previous expansion of the quarry (under the existing

permission) on the basis that it would be the final phase but now questions the quarry's continued operation near an expanding village. SLCAG considers that Balmullo Quarry should be planning for closure as 2029/30 marks the end of their current permission

2.10.10 In response to these objections, the applicant indicates that there is no time limit to quarrying within the extant planning permission. The quarry is not therefore required to close by 2029. When the permitted reserves are exhausted the site would be restored as per the existing restoration scheme which formed part of the extant planning permission.

2.10.11 Taking into account all of the above, Fife Council's Planning Services' assessment is that this is not a relevant consideration for this ROMP application, as this ROMP application provides no locus to make any decisions on a date for closure for the quarry. Whilst planning conditions are in place controlling the operation of the quarry as part of the existing planning permission, they do not include a condition limiting the duration of the operation. The introduction of a completely new time limit on the duration of the permission would thus be beyond the scope of the current ROMP process.

Issues with this ROMP application (25/00417/EIA)

2.10.12 A number of comments and objections were raised regarding this ROMP application itself, particularly around the complexity of the planning process generally, and more specifically the issues caused by the fact that the submitted EIA covers both the existing (ROMP) position and the potential future (Extension) position. It was considered generally by objectors that the EIA could have been clearer on which parts of the EIA solely related to the ROMP application, and which to the new Extension application. Concern was expressed that too much information had been redacted from the EIA. Other objectors took the view that the proposed planning conditions do not address the community's concerns, and that this ROMP application should not be approved until full compliance with planning conditions is demonstrated.

2.10.13 Taking into account all of the above, Fife Council's Planning Services' assessment is that the objectors' concerns regarding a lack of clarity between different parts of the EIA were immediately recognised by Planning Services, and the initial public consultation period for this application was extended by four weeks in April 2025, following the submission by the applicant of clearer plans in the EIA (making it more obvious to members of the public and other interested parties which parts of the EIA were solely applicable to the current ROMP application and which parts referred to the application for the proposed extension).

2.10.14 Similarly, Fife Council's Planning Services recognised objectors' concerns related to the initially redacted version of the EIA, which led to concern amongst local residents at the amount of material in the EIA that was not publicly viewable. Following consultation with both NatureScot and Fife Council's own Natural Heritage specialist, a revised (largely unredacted) version of the EIA was then made available to the public. The ROMP application was then re-advertised, and the public consultation period re-opened for a further 4 weeks, to allow comments and objections to be made on the largely unredacted version of the EIA.

2.10.15 In response to objections urging that this ROMP application should not be approved until full compliance with planning conditions is demonstrated, this is not a course of action that can be pursued through the ROMP process, which aims solely to update existing conditions. The question of whether the existing conditions are being complied with is a separate and distinct matter through the independent Planning Conditions Compliance procedures and, if necessary and appropriate, Fife Council's Enforcement protocols.

Discard of rubbish

2.10.16 One objector, who has lived in Balmullo for over 13 years has been aware that rubbish from the quarry site has been dumped in the hedgerow not 20 metres away from the site office. Having watched this metal scrap decay over the last 13 years, the objector considers that this is indicative of how the company shows little respect for the local habitat and wildlife and makes the very minimum effort to comply with site regulation.

2.10.17 In response to this objection, the applicant notes that such fly-tipping occurs all over the country. The applicant indicates that Breedon are not responsible for the waste identified here, but on it being brought to its attention, the company has taken steps to clear the area in question of the dumped material.

2.10.18 Taking into account all of the above, Fife Council's Planning Services' assessment of this matter is that an issue has been raised and has been resolved through this ROMP application process.

Inadequate safety measures (signage and fencing) at the quarry

2.10.19 A number of comments and objections were raised regarding poor safety measures in place at Balmullo Quarry, with examples given that warning signage around the perimeter of the quarry is inadequate as it is only on some parts of the north and south fences but not on the east and west. It was also considered that in general, the perimeter fence is ineffective and full of holes and missing in places, such that anyone could freely walk into the quarry if they wished.

2.10.20 In response to these objections, the applicant indicates that the existing quarry is securely fenced (with appropriate signage displayed) in accordance with the safety provisions of the Quarries Regulations 1999 and the HSE Health and Safety at Quarries Approved Code of Practice and is subject to regular maintenance checks (with sections repaired where required).

2.10.21 Taking into account all of the above, Fife Council's Planning Services' assessment is that the question of safety at quarries is a matter for consideration under the Quarries Regulations 1999, and the HSE Health and Safety at Quarries Approved Code of Practice, rather than a matter for the Planning process. Planning Services is therefore not minded to recommend any new or updated condition on this matter.

Community benefit from the quarry

2.10.22 One objection was raised regarding the level of community benefit that Breedon provides from Balmullo Quarry, the contention being that doesn't give much back to the village, beyond a football kit.

2.10.23 In response to this objection, the applicant indicates that, Breedon has provided numerous other community benefit items, which have included aggregate for surfacing of the parking area at Burnside Hall and sponsoring a local resident undertaking a cycle ride in aid of the Doddie Weir Foundation.

2.10.24 Taking into account all of the above, Fife Council's Planning Services' assessment is that there is no provision within either the existing planning permission or its accompanying Section 75 Agreement for the operator of Balmullo Quarry to provide financial or "in kind" community benefit to the local area. The operator has in the past provided such benefits on an informal basis and has stated at meetings of the BQLC that it is open to requests for funding or other assistance to local projects, which would be assessed as such requests are received. This type of community benefit is not something which can appropriately be secured using planning

conditions and Planning Services is therefore not minded to recommend any new or updated condition on this matter.

3.0 Consultation Summary

NatureScot	No objection.
Scottish Water	No response received.
Scottish Environment Protection Agency	No objection.
Land And Air Quality, Protective Services	No objection.
Public Protection	No objection, subject to conditions.
Structural Services - Flooding, Shoreline And Harbours	No objection.
TDM, Planning Services	No objection.
Balmullo Community Council	Objection.
Parks Development And Countryside - Rights Of Way/Access	No response received.

4.0 Representation Summary

4.1 In total, one representation (from a member of the public) and seventeen objections (including one from Balmullo Community Council, and one from the Save Lucklawhill Community Action Group – SLCAG) have been received in connection with this application. All representations and objections were received within the public consultation time limits, but five of the seventeen objections made to this ROMP application raised objections solely in relation to a possible extension of the quarry and therefore can't be considered in relation to this ROMP application.

4.2 Many of the points/themes raised in the Balmullo CC representation and the ten valid objections are the same as, or similar to, each other. This Report of Handling, in sections 2.2 to 2.10, details and assesses the objections made in each of the various themes.

5.0 Conclusions

The applicant has fulfilled the requirements of the First Periodic Review of Planning Conditions of Mineral Permission 05/00835/EEIA, through the submission of this ROMP application under Section 74 of the Town and Country Planning (Scotland) Act 1997/ The applicant's proposed conditions, and the supporting EIA documentation, have been the subject of adequate publicity, and all comments and objections made have been fully considered in the assessment of this application by Fife Council. The recommended revised suite of planning conditions in Section 6.0 of this report of handling aligns with the Development Plan and other guidance, including PAN 50. In conjunction with the proposed Legal Agreement, this recommended suite of planning conditions governing the existing planning permission granted under reference 05/00835/EEIA will ensure enhanced oversight and control of quarry operations going forward.

6.0 Recommendation

It is accordingly recommended that the application be approved subject to:

The conclusion of a Minute of Variation of the existing Section 75 Agreement accompanying planning permission reference 05/00835/EEIA relating to:

- the financial and other provisions for securing restoration of the site;
- the operation of the Balmullo Quarry Liaison Committee;
- the arrangements for monitoring compliance with the planning permissions;

and the following conditions and reasons:

1. FOR THE AVOIDANCE OF DOUBT, the conditions hereby approved shall apply from the date of issue of the Decision Notice for application reference 25/00417/EIA.

Reason. For clarity, and for the sake of good administration, in marking the transfer from the existing set of planning conditions to the revised set of planning conditions becoming operational.

2. Operations for the winning, extraction, processing and transport of hard rock shall be carried out within the hours of 7.30am until 5.00pm Monday to Friday; 8.00am until 12 noon on a Saturday and at no time on a Sunday unless otherwise agreed in writing with the Planning Authority.

Reason. In order to protect the amenity of adjoining and nearby residents.

3. Noise levels generated by normal mineral extraction operations, including the use of the haul road by HGV traffic, 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.

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

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

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

48dB LAeq 1 hour at all noise sensitive premises; and
65dB LAeq 1 hour at the boundary of Lucklaw Wood.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

5. Soil movement and placement operations and the formation of soil mounds shall be carried out for no more than eight weeks in any one year. During periods when this work is being carried out, noise from all plant and machinery shall be controlled such that the following noise levels shall not be exceeded:

70 dB LAeq 1hour (freefield) at any adjacent noise sensitive premises; and

65 dB LAeq 1hour at the boundary of Lucklaw Wood.

FOR THE AVOIDANCE OF DOUBT, these noise limits shall only be permitted for a maximum of eight weeks in any 12-month period following commencement of development and for a maximum of eight weeks in the final 12-month period of site decommissioning and reinstatement. Otherwise, the noise limits in Conditions 3 and 4 shall apply.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood."

6. Noise monitoring shall be carried out in accordance with the Noise Monitoring Programme, Rev 1 (July 2025), as amended (September 2025), which Programme is hereby approved.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.

7. Drilling operations shall be carried out on no more than 30 days in any calendar year. FOR THE AVOIDANCE OF DOUBT, the number of drilling days shall be included within the eight weeks for soil movement and placement operations as provided for under the terms of Condition 5.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

8. All vehicles owned or operated by the quarry operator at the site shall be fitted with alternative reversing warning systems. These shall include a red stroboscopic warning light and/or white noise reversing systems.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

9. All plant and machinery shall at all times be maintained and operated to comply with manufacturers specifications and shall be fitted with effective silencers.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

10. Maximum ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/s^{-1} in 95% of all blasts measured over any period of 6 months and no individual blast shall exceed a peak particle velocity of 10 mm/s^{-1} as measured at vibration sensitive buildings. The measurements to be the maximum of 3 mutually perpendicular directions taken at the ground surface at any vibration sensitive building.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

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

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood.

12. Blasting, and blast monitoring, shall be carried out in accordance with the Blast Vibration Monitoring Scheme, Rev 1 (July 2025), as amended (September 2025), which Scheme is hereby approved.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.

13. Arrangements for the advance notification, to local residents and Fife Council, of forthcoming blasts shall be agreed between the applicant, Fife Council and the local community through the meetings of the Balmullo Quarry Liaison Committee.

Reason. In the interests of community engagement and health and safety.

14. The best current industry practice shall be adopted to reduce the effects of air overpressure on any noise sensitive building or structures; the details of the methods to be employed to achieve this shall be in accordance with the approved Blast Vibration Monitoring Scheme, Rev 1 (July 2025), as amended (September 2025).

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.

15. The reduction, monitoring and mitigation of fugitive dust at source shall be carried out in accordance with the Dust Monitoring Scheme Rev 1 (July 2025), as amended (September 2025), which Scheme is hereby approved.

Reason. In the interests of residential amenity and the quiet enjoyment of the neighbourhood; and to align with industry best practice.

16. The existing arrangements designed to prevent the use of the private Balmullo Quarry haul road as a public road, as provided in compliance with Condition 18 of planning permission reference 05/00835/EEIA, shall be retained in use throughout the lifetime of the quarry.

Reason. In the interests of road safety and to ensure an acceptable access location in relation to the existing road system.

17. The existing visibility splays of 6 metres by 210 metres at the junction of the quarry access with the A914, as provided in compliance with Condition 20 of planning permission reference 05/00835/EEIA, shall be permanently maintained free from any obstructions exceeding a height of one metre above the adjacent road channel levels.

Reason. In the interests of road safety.

18. The existing wheel cleaning facilities already employed at the quarry shall be utilised by heavy goods vehicles leaving the quarry unless otherwise approved in writing by Fife Council as Planning Authority.

Reason. In the interests of road safety, to prevent the deposit of deleterious material to the road surface, and local amenity.

19. Vehicular access to the site shall only be via the existing access onto Quarry Road and all vehicles routed east via the quarry's private access road to the A914.

Reason. In the interests of road safety and local amenity.

20. All loaded HGVs entering or leaving Balmullo Quarry shall employ appropriate sheeting to cover loads being carried.

Reason. In the interests of local amenity.

21. The rate of extraction shall not exceed 150,000 tonnes per annum, unless otherwise approved in writing by Fife Council as Planning Authority; with a record of the quantity, quality, type and principal destinations of materials leaving the quarry each year to be submitted annually to Fife Council as Planning Authority.

Reason. In the interests of road safety and local amenity.

22. Restoration shall be carried out in accordance with the approved scheme with reference Dalgleish Associates (22.11.04) Quarry Restoration Proposals Figure 3.4, approved under planning permission reference 05/00835/EEIA. Restoration shall be complete within twelve months of the date of cessation of mineral extraction at Balmullo Quarry.

Reason. In the interests of visual amenity and to ensure a satisfactory standard of local environmental quality.

23. FOR THE AVOIDANCE OF DOUBT, any tree felling/vegetation removal work or works must be carried out outwith the bird breeding season (i.e. March to August inclusive). If such works are required within the breeding season, a nesting bird survey shall be carried out by a suitably qualified ecologist to assess the presence of nesting birds and recommend appropriate mitigation of works to protect potentially affected species, including fulmar and peregrine falcon. The survey shall be submitted for the prior written approval of Fife Council as Planning Authority before any tree felling/vegetation removal work or works which affect existing nests is carried out.

Reason. In the interests of protecting and preserving the ecological heritage.

24. The development hereby approved shall be implemented in accordance with the Environmental Impact Assessment Report prepared by SLR Consulting Limited (January 2025) and the mitigation measures listed therein, and the plans stamped as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been approved in writing by the Planning Authority.

Reason. To ensure that the development is carried out in accordance with the approved plans, unless otherwise agreed in writing with Fife Council as Planning Authority.

7.0 Background Papers

In addition to the application the following documents, guidance notes and policy documents form the background papers to this report.

National Guidance

National Planning Framework 4 (2023)

PAN 50: Controlling the Environmental Effects of Surface Mineral Workings (1996)

PAN 50: ANNEX A – The Control of Noise at Surface Mineral Workings (1996)

PAN 50: ANNEX B – The Control of Dust at Surface Mineral Workings (1998)

PAN 50: ANNEX C – The Control of Traffic at Surface Mineral Workings (1998)
PAN 50: ANNEX D – The Control of Blasting at Surface Mineral Workings (2000)
PAN 51: PAN 51: Planning, Environmental Protection and Regulation (2006)
PAN 64: Reclamation of Surface Mineral Workings (2003)
Planning Circular 34/1996: Environment Act 1995: Section 96 guidance on the statutory provisions and procedures (November 1996)

Fife Council Guidance

FIFEplan Local Development Plan (2017)
FIFEplan – Minerals Supplementary Guidance (2018)

Other Papers

[Atmospheric emissions: greenhouse gases by industry and gas - Office for National Statistics \(2023\)](#)

[The Quarries Regulations 1999](#)

[Health and safety at quarries. The Quarries Regulations 1999. Approved Code of Practice - HSE](#)

Report prepared by: Martin McGroarty (Lead Professional, Minerals)
Report reviewed and agreed by Alastair Hamilton, Service Manager 29/9/25

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
-	-	-	-	<p><i>For clarity, and for the sake of good administration, a condition is required to indicate at which point in time the recommended revised set of conditions for Balmullo Quarry would become operational, replacing the existing set of conditions.</i></p> <p>Recommend that Planning Services' proposed condition is AGREED and included as RECOMMENDED CONDITION 1 in Report of Handling Section 6.0</p>
1	Except with reference to the conditions noted below, the operational and mitigation measures including extraction, access, landscaping, restoration, hydrology, phasing of excavation works etc. shall be fully implemented in accordance with the measures specified in the Environmental Statement and plans accompanying this consent.	1	The development hereby approved shall be implemented in accordance with the Environmental Impact Assessment Report prepared by SLR Consulting Limited (January 2025) and the mitigation measures listed therein and the plans stamped as forming part of this permission unless a variation is required by a condition of the permission or a non-material change has been approved in writing by the Planning Authority.	<p><i>See section 2.10 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) A close match to the existing condition, bringing it up to date.</p> <p>Recommend that the applicant's proposed condition is AGREED and included as RECOMMENDED CONDITION 24 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
2	The hours of operation of plant and equipment associated with the extraction, processing and transport of hard rock shall be restricted to Monday to Friday 7.30 to 17.00 and 8.00 to 12.00 on a Saturday.	3	Operations (excluding blasting) for the winning, extraction, processing and transport of hard rock shall be carried out within the hours of 7.30am until 5.00pm Monday to Friday; 8.00am until 12 noon on a Saturday and at no time on a Sunday unless otherwise agreed in writing with the Planning Authority. Outwith these hours, activities shall be limited to maintenance, emergency works, dust suppression, pumping and testing of plant and equipment only. FOR THE AVOIDANCE OF DOUBT, any blasting shall be carried out as per the approved blast design and is an operation outwith the scope of this operating condition and is separately controlled.	<p><i>See section 2.2 of Report of Handling for full assessment, including comments/objections.</i></p> <ul style="list-style-type: none"> a) The same core hours/days are proposed. This is acceptable. b) The proposed condition specifically details works to be allowed outwith specified times. The additional works specified are acceptable. c) The proposed condition includes text making it clear that blasting is separately controlled and blasting hours are not controlled by this condition. This additional text to exclude blasting is considered to be confusing and unnecessary and should not be included in the recommended condition covering operating hours. <p>Recommend that the applicant's proposed condition, with amendment as described in c) above, is AGREED and included as RECOMMENDED CONDITION 2 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
3	<p>With the undernoted exceptions noise levels generated by normal mineral extractions shall at no time exceed:</p> <ul style="list-style-type: none"> • 45dB (LAeq) 1hour (freefield) or • 10dB(A) above the measured background level (whichever is the greater) at any noise sensitive premises 	6	<p>With the undernoted exceptions noise levels generated by normal mineral extraction operations shall at no time exceed:</p> <ul style="list-style-type: none"> a. 45dB (LAeq) 1 hour (freefield); or b. 10dB(A) above the measured background level (whichever is the greater) at any noise sensitive premises. 	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>Identical to the existing condition.</p> <ul style="list-style-type: none"> a) The wording “With the undernoted exceptions” should be removed. b) The wording “including the use of the haul road by HGV traffic” should be added between the words “operations” and “shall”. c) At the end of the condition, add the words “Noise from any plant or machinery associated with normal mineral extraction operations shall be controlled such that it does not exceed 65dB LAeq 1 hour at the boundary of Lucklaw Wood.” <p>Recommend that the applicant’s proposed condition, with amendments as described in a), b) and c) above, is AGREED and included as RECOMMENDED CONDITION 3 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
4	<p>Where drilling is being carried out in unison with other normal mineral extraction operations the following noise levels shall not be exceed</p> <p>Woodfield</p> <ul style="list-style-type: none"> • Phase 1 48dB LAeq 1 hour • Phase 2 48dB LAeq <p>Hayston Park</p> <ul style="list-style-type: none"> • Phase 1 50dB LAeq 1 hour • Phase 2 50dB LAeq 1 hour <p>North End of Pitcairn Drive</p> <ul style="list-style-type: none"> • Phase 1 51dB LAeq 1 hour • Phase 2 51dB LAeq 1 hour • Phase 3 51dB LAeq 1 hour <p>Noise from any plant or machinery associated with normal mineral extraction operations shall be controlled such that it does not exceed 65dB LAeq 1 hour at the boundary of Lucklaw Woods.</p> <p>Drilling operations shall be carried out on no more than 30 days in any calendar year.</p>	7	<p>Where drilling is being carried out in unison with other normal mineral extraction operations the following noise levels shall not be exceeded:</p> <p>Woodfield 48dB LAeq 1 hour; Hayston Park 50dB LAeq 1 hour; North End of Pitcairn Drive 51dB LAeq 1hour.</p> <p>Noise from any plant or machinery associated with normal mineral extraction operations shall be controlled such that it does not exceed 65dB LAeq 1 hour at the boundary of Lucklaw Woods.</p>	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Planning Services considers that maximum allowable levels during drilling can be simplified by setting the levels at 48 dB at all noise sensitive premises, and 65 dB at the boundary of Lucklaw Wood.</p> <p>b) The applicant has extracted the wording “Drilling operations shall be carried out on no more than 30 days in any calendar year” from their proposed condition and proposed it be a standalone condition. This is deemed acceptable.</p> <p>Recommend that the applicant’s proposed condition, with amendments as described in a) and b) above, is AGREED and included as RECOMMENDED CONDITION 4 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
5	Soil movement and placement operations and the formation of soil mounds shall be carried out for no more than 8 weeks in any one year. During periods when this work is being carried out, noise from any other plant and machinery shall be controlled such that it does not exceed 70dB LAeq 1 hour (freefield) at any adjacent noise sensitive premises and 65 LAeq 1 hour at the boundary of Lucklaw Woods.	8	Soil movement and placement operations and the formation of soil mounds shall be carried out for no more than eight 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 dB LAeq 1hour at the boundary of Lucklaw Woods. This noise limit shall only be permitted for a maximum of eight weeks in any 12-month period following commencement of development and for a maximum of eight weeks in the final 12- month period of site decommissioning and reinstatement. Otherwise, the noise limit in Condition 7 of the planning permission hereby granted shall apply.	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Planning Services considers that the proposed limits remain appropriate in the context of PAN 50.</p> <p>b) The words “Condition 7 of the planning permission hereby granted” in the applicant’s proposed condition should be replaced with the words “Conditions 3 and 4 shall apply” to match the revised numbering of conditions.</p> <p>Recommend that the applicant’s proposed condition, with amendment as described in b) above, is AGREED and included as RECOMMENDED CONDITION 5 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
-	-	5	<p>Within six months of the date of implementation of this planning permission, a scheme for the monitoring of noise generated from the site shall be submitted for the written approval of Fife Council as Planning Authority. The scheme shall be implemented as approved within two months of its approval. The scheme shall provide for:</p> <ul style="list-style-type: none"> • attended measurements by a competent person of LAeq, 5 minute levels over a typical period with the main plant and machinery in operation, likely 1 hour in duration at each location; • attended measurements to be undertaken at intervals representative of changes in operations at the site, in particular phase 1 and phase 2 of the approved extension; • the logging of weather conditions during the attended measurements; • intervals in attended measurements should not exceed twelve months. 	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Condition not accepted – proposed Scheme of Noise Monitoring was requested, and provided, as part of ROMP process so that public consultation could take place on it.</p> <p>b) Planning Services has recommended amendments to the Scheme of Noise Monitoring to match the recommendations in the Report of Handling.</p> <p>Recommend that the applicant's proposed condition is NOT AGREED, but replaced with RECOMMENDED CONDITION 6 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
6	The number of drilling days shall be included within the 8 weeks allowable for temporary works in any one year.	9	Drilling operations shall be carried out on no more than 30 days in any calendar year. FOR THE AVOIDANCE OF DOUBT the number of drilling days shall be included within the eight weeks allowable for the temporary works in any one year.	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) The applicant has extracted the wording “Drilling operations shall be carried out on no more than 30 days in any calendar year” from their existing Condition 4 and proposed it be a standalone condition.</p> <p>Recommend that the applicant’s proposed condition is AGREED and included as RECOMMENDED CONDITION 7 in Report of Handling Section 6.0</p>
7	The noise from quarry vehicles using the new haul route shall not exceed 45dB LAeq 1 hour when measured at any existing sensitive property.	-	-	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) The applicant has not proposed a replacement condition to cover the control of noise from HGVs.</p> <p>Recommend that the maximum allowable noise level generated by HGV traffic using the haul road is added to RECOMMENDED CONDITION 3 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
8	White noise reversing systems shall be used on all vehicles operating at the site.	10	All vehicles owned or operated solely by the quarry operator at the site shall be fitted with alternative reversing warning systems. These shall include a red stroboscopic warning light and/or white noise reversing systems.	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) A close match to the existing condition, bringing it up to date.</p> <p>Recommend that the applicant's proposed condition is AGREED and included as RECOMMENDED CONDITION 8 in Report of Handling Section 6.0</p>
9	All vehicles maintained and operated to comply with manufacturers specifications and shall be fitted with effective silencers.	11	All plant and machinery maintained and operated to comply with manufacturers specifications and shall be fitted with effective silencers.	<p><i>See section 2.3 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) A close match to the existing condition, enhancing scope of control.</p> <p>Recommend that the applicant's proposed condition is AGREED and included as RECOMMENDED CONDITION 9 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
10	Maximum ground vibration for blasting at any nearby vibration sensitive property shall be of peak particle velocity of 6mm/sec in 95% confidence level of any consecutive block of 20 blasts with no individual blast exceeding a peak particle velocity of 10mm/sec. The maximum ground vibration for blasting at the water reservoir and the hill top telecommunications mast shall be of peak particle velocity of 50mm/sec at 95% confidence level. The records should be kept for inspection if required.	16	Maximum ground vibration as a result of blasting operations at nearby vibration sensitive property shall be of peak particle velocity of 6 mms-1 in 95% confidence level of any consecutive block of 20 blasts with no individual blast exceeding a peak particle velocity of 10 mms-1. 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.	<p><i>See section 2.4 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Applicant's proposed condition is identical to the existing condition.</p> <p>b) Public Protection team advises that the proposed condition should be amended to read: "Maximum ground vibration as a result of blasting operations shall not exceed a peak particle velocity of 6 mm/s⁻¹ in 95% of all blasts measured over any period of 6 months and no individual blast shall exceed a peak particle velocity of 10 mm/s⁻¹ as measured at vibration sensitive buildings. The measurements to be the maximum of 3 mutually perpendicular directions taken at the ground surface at any vibration sensitive building."</p> <p>Recommend that the applicant's proposed condition, as amended as described in b) above, is AGREED and included as RECOMMENDED CONDITION 10 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
11	Blasting shall only be carried out between the hours of 10.00-12.00 and 14.00-16.00 Monday to Friday.	12	Blasting shall only be carried out between the hours of 10:00 – 12:00 and 14:00 – 16:00 Monday to Friday.	<p><i>See section 2.4 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Identical to the existing condition.</p> <p>Recommend that the applicant's proposed condition is AGREED and included as RECOMMENDED CONDITION 11 in Report of Handling Section 6.0</p>
12	A scheme for monitoring blasting including the location of monitoring points and equipment to be used shall be submitted to the council. The scheme shall be agreed by Fife Council as Planning Authority prior to commencement of the blasting activities. Records should be kept of all blast noise monitoring together with any complaints which may be received. The records should be kept readily available for inspection if required.	13	Within six months of the date of implementation of this planning permission, a scheme of blasting shall be submitted for the written approval of Fife Council as Planning Authority. The scheme shall be implemented as approved within two months of its approval.	<p><i>See section 2.4 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Condition not accepted – proposed Scheme of Blast Monitoring was requested, and provided, as part of ROMP process so that public consultation could take place.</p> <p>b) Planning Services has recommended amendments to the Scheme of Blast Monitoring to match the recommendations in the Report of Handling.</p> <p>Recommend that the applicant's proposed condition is NOT AGREED, but replaced with RECOMMENDED CONDITION 12 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
13	A notice shall be supplied to the council in the form of a facsimile message to an agreed officer giving at least 48 hours advance warning of the dates and times of blasting throughout the lifetime of the quarry unless otherwise agreed in writing with Development Services. Site notices shall be displayed in positions and times to be agreed with Development Services giving warning to the public of blasting times.	14	A notice shall be supplied to Fife Council as Planning Authority in the form of either a letter or e-mail to the agreed Fife Council Planning 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 Fife Council as Planning Authority. Furthermore, site notices shall be displayed in positions and at times to be agreed with Fife Council as Planning Authority giving warning to the public of blasting times.	<p><i>See section 2.4 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) A close match to the existing condition but Planning Services' recommended condition aims to involve the Balmullo Quarry Liaison Committee in agreeing suitable blast notification arrangements with the local community.</p> <p>Recommend that the applicant's proposed condition is NOT AGREED, but replaced with RECOMMENDED CONDITION 13 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
-	-	15	15. The best industry guidance shall be adopted to reduce the effects of air overpressure on any noise sensitive building or structures; the details of the methods to be employed shall adhere to the scheme of blasting approved in condition 13.	<p><i>See section 2.4 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) The applicant is proposing the addition of a new condition relating to the control of air overpressure levels from blasting as part of this ROMP application. This does not form part of the existing planning conditions, but is a welcome addition, which addresses a number of objections on this matter.</p> <p>b) The wording “approved in condition 13” in the applicant’s proposed condition should be removed.</p> <p>Recommend that the applicant’s proposed condition referencing the control of air overpressure levels, as amended as described in b) above, is AGREED and included as RECOMMENDED CONDITION 14 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
14	The best industry guidance shall be operated in accordance with the provisions of the submitted Dust Assessment.	-	(The applicant's proposed Condition 17 seeks to merge existing Conditions 14, 15, 16 and 17 into a single, amended, existing Condition 16.)	<i>See section 2.5 of Report of Handling for full assessment, including comments/objections.</i> <i>Officer recommendation as below.</i>
15	Dust control measures shall be operated in accordance with the provisions of the submitted Dust Assessment. The operator shall carry out a visual assessment of dust emissions on a daily basis. Details of all visual assessments shall be recorded in a log book kept on site which will include date, time and wind direction, observations and identification of observer. If extreme adverse conditions are experienced the operator shall temporarily cease all dust causing activities that give rise to concern.	-	(The applicant's proposed Condition 17 seeks to merge existing Conditions 14, 15, 16 and 17 into a single, amended, existing Condition 16.)	<i>See section 2.5 of Report of Handling for full assessment, including comments/objections.</i> <i>Officer recommendation as below.</i>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
16	A dust monitoring scheme shall be submitted to Fife Council. The dust monitoring scheme shall be agreed in writing by Fife Council and implemented prior to the commencement of the proposed quarry extension works.	17	<p>Within six months of the date of implementation of this planning permission, a scheme for the management and monitoring of dust generated from the site shall be submitted for the written approval of Fife Council as Planning Authority. The scheme shall be implemented as approved within two months of its approval. The scheme shall provide for:</p> <ul style="list-style-type: none"> • methods of dust management and control; • location of monitoring positions; • frequency of monitoring; • period of monitoring; and • reporting of monitoring results. 	<p><i>See section 2.5 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Condition not accepted – proposed Scheme of Dust Monitoring was requested, and provided, as part of ROMP process so that public consultation could take place on it.</p> <p>b) Planning Services has recommended amendments to the Scheme of Dust Monitoring to match the recommendations in the Report of Handling.</p> <p>Recommend that the applicant's proposed condition is NOT AGREED, but replaced with RECOMMENDED CONDITION 15 in Report of Handling Section 6.0</p>
17	Records should be kept of all air quality monitoring together with any complaints which may be received. The records should be kept readily available for inspection if required.	-	(The applicant's proposed Condition 17 seeks to merge existing Conditions 14, 15, 16 and 17 into a single, amended, existing Condition 16.)	<p><i>See section 2.5 of Report of Handling for full assessment, including comments/objections.</i></p> <p><i>Officer recommendation as above.</i></p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
18	Exact details of the means to prevent the use of the haul road as a public road way between the A914 and School Road shall be submitted for the prior written approval of Fife Council as Planning Authority prior to the commissioning of the new access road.	-	(The applicant is proposing not to reapply existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented: namely, existing Conditions 18, 19, 20, 21, 22 and 24)	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Whilst it is agreed that it would not be appropriate to re-apply pre-start conditions from the existing planning permission, there is a need for a condition requiring adherence to the approved Haul Road Access Management Plan during the lifetime of the quarry.</p> <p>Recommend that an amended condition is AGREED to cover the above, as detailed in RECOMMENDED CONDITION 16 in Report of Handling Section 6.0</p>
19	The proposed access road shall be constructed and commissioned prior to the commencement of works to extend the quarry.	-	(The applicant is proposing not to reapply existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented: namely, existing Conditions 18, 19, 20, 21, 22 and 24)	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) This condition is no longer appropriate.</p> <p>Recommend that it is AGREED NOT TO REAPPLY this condition.</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
20	Before the access is brought into use, visibility splays of 6 metres by 210 metres shall be provided in both directions at the junction of the new access with the existing road on the stamped approved plan. Thereafter these shall be permanently maintained free from any obstructions exceeding a height of one metre above the adjacent road channel levels.	-	(The applicant is proposing not to reapply existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented: namely, existing Conditions 18, 19, 20, 21, 22 and 24)	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Whilst it is agreed that it would not be appropriate to re-apply pre-start conditions from the existing planning permission, there is a need for a condition requiring visibility splays to be maintained during the lifetime of the quarry.</p> <p>Recommend that an amended condition is AGREED to cover the above, as detailed in RECOMMENDED CONDITION 17 in Report of Handling Section 6.0</p>
21	Before the development is occupied, all works on or adjacent to existing public roads shall be designed and constructed to the current Fife Council Specification for Roadworks.	-	(The applicant is proposing not to reapply existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented: namely, existing Conditions 18, 19, 20, 21, 22 and 24)	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) This condition is no longer appropriate.</p> <p>Recommend that it is AGREED NOT TO RE-APPLY this condition.</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
22	Before the development is occupied, all existing accesses, made redundant by the approved development (marked purple on the stamped approved plan), shall be permanently closed off.	-	(The applicant is proposing not to reapply existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented: namely, existing Conditions 18, 19, 20, 21, 22 and 24)	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) This condition is no longer appropriate.</p> <p>Recommend that it is AGREED NOT TO RE-APPLY this condition.</p>
-	-	18	The existing wheel cleaning facilities already employed at the quarry shall be utilised by heavy goods vehicles leaving the quarry unless otherwise approved in writing by Fife Council as Planning Authority.	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) The applicant is proposing the addition of a new condition relating to the use of existing wheel cleaning facilities at the quarry as part of this ROMP application. This does not form part of the existing planning conditions, but is a welcome addition, which addresses a number of objections on the condition of the access road.</p> <p>Recommend that the applicant's proposed condition referencing the use of wheel cleaning facilities is AGREED and included as RECOMMENDED CONDITION 18 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
-	-	20	Vehicular access to the site shall only be via the existing access onto Quarry Road and all vehicles routed east via the quarry's private access road to the A914.	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) The applicant is proposing the addition of a new condition relating to the routing of quarry traffic as part of this ROMP application. This does not form part of the existing planning conditions, but is a welcome addition, adding clarity to access arrangements.</p> <p>Recommend that the applicant's proposed condition referencing the control of quarry traffic routing is AGREED and included as RECOMMENDED CONDITION 19 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
-	-	-	-	<p><i>See section 2.5 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) There is no existing condition covering the use of sheeting on HGVs, which principally assists in keeping roads clear of spilled material but can have the added benefit of contributing to fugitive dust mitigation, and the applicant has not proposed such a condition.</p> <p>b) This is modern quarry practice and Planning Services considers it to be an appropriate upgrade to both existing roads management and dust control measures to condition the use of sheeting on HGVs using the quarry.</p> <p>Recommend that Planning Services' proposed condition is AGREED and included as RECOMMENDED CONDITION 20 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
23	The extraction and exportation of material from the site shall not exceed 150,000 tonnes per annum unless otherwise agreed in writing with Fife Council. Any written request to vary the terms of this condition shall be accompanied by a detailed breakdown of the additional extraction/exportation tonnage and details of the additional number and timings of vehicle trips generated. Fife Council as Planning Authority reserves the right to request an application for planning permission to vary the terms of this consent should it be deemed acceptable to do so.	2	The rate of extraction shall not exceed 150,000 tonnes per annum, unless otherwise approved in writing by Fife Council as Planning Authority. A record of the quality, type and principal destinations of material leaving the quarry shall be submitted to Fife Council as Planning Authority every six months.	<p><i>See section 2.7 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) A close match between existing and proposed conditions. b) The applicant has indicated a willingness to respond positively to objections made on this matter which indicate that the word “quantity” should be added to the condition.</p> <p>Recommend that the applicant’s proposed condition, with amendment as described in b) above, is AGREED and included as RECOMMENDED CONDITION 21 in Report of Handling Section 6.0</p>
24	Exact detail including variety of species and planting densities for the proposed landscaped bunds shall be submitted for the prior written approval of Fife Council as Planning Authority before works commence on the construction of the proposed access road.	-	(The applicant is proposing not to reapply existing roads and access conditions that refer to actions that were required to be taken before the existing planning permission was implemented: namely, existing Conditions 18, 19, 20, 21, 22 and 24)	<p><i>See section 2.6 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) This condition is no longer appropriate.</p> <p>Recommend that it is AGREED NOT TO RE-APPLY this condition.</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
25	<p>Detailed scale plans of the excavation and restoration proposals at key phases of the project implantation, shall be submitted for the prior written approval of Fife Council as Planning Authority. Detailed written specifications of the phased restoration should be produced and agreed in writing with Fife Council. Such specifications should include:</p> <p>(a) Written statement of intended outcome for restoration in each key area</p> <p>(b) Description of specific techniques for the preparation of existing rock faces and other surfaces</p> <p>(c) Description of ground preparation techniques</p> <p>(d) Description of planting and/or seeding specification including plant or seed origin</p> <p>(e) Detailed timetable for implementing the restoration works showing key phases of the restoration proposal and key restoration targets/outcomes.</p>	4	<p>Restoration shall be carried out in accordance with the approved scheme with reference Dalgleish Associates (22.11.04) Quarry Restoration Proposals Figure 3.4</p>	<p><i>See section 2.8 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) The existing restoration plan remains appropriate, as there is no change to the extent or method of working proposed through this ROMP application.</p> <p>b) For clarify, the condition wording should identify that the existing approved restoration scheme sits within planning permission reference 05/00835/EEIA.</p> <p>c) It is considered appropriate to specify in the recommended restoration condition, the timeframe within which restoration shall be completed by the operator.</p> <p>Recommend that the applicant's proposed condition as amended as described in b) and c) above, is AGREED and included as RECOMMENDED CONDITION 22 in Report of Handling Section 6.0</p>

No	EXISTING CONDITIONS (from 05/00835/EEIA)	No	PROPOSED CONDITIONS (from 25/00417/EIA)	CASE OFFICER COMMENTS
26	No work or other operations affecting fulmar and peregrine falcon nesting areas shall be undertaken during the period from March to September. Exact details of the designated nesting sites and protection areas shall be submitted for the prior written approval of Fife Council as Planning Authority.	19	FOR THE AVOIDANCE OF DOUBT, any tree felling/vegetation removal work or works must be carried out outwith the bird breeding season (i.e. March to August inclusive). If such works are required within the breeding season, a nesting bird survey shall be carried out by a suitably qualified ecologist to assess the presence of nesting birds and recommend appropriate mitigation of works to protect potentially affected species. The survey shall be submitted for the prior written approval of Fife Council as Planning Authority before any tree felling/vegetation removal work or works which affect existing nests is carried out.	<p><i>See section 2.9 of Report of Handling for full assessment, including comments/objections.</i></p> <p>a) Planning Services acknowledges objections made on this matter and concurs with NatureScot's recommendation that specific reference to fulmar and peregrine falcon should be reinstated in the recommended condition.</p> <p>Recommend that the applicant's proposed condition is AGREED (with the reinstatement of specific reference to fulmar and peregrine falcon) and included as RECOMMENDED CONDITION 23 in Report of Handling Section 6.0</p>

DATE OF BLAST	MAXIMUM PPV (mm/s ⁻¹)	AIR OVERPRESSURE (dB)	LOCATION
02-Mar-22	No trigger*	No trigger*	Woodfield Cottage
13-Apr-22	3.68	107	Woodfield Cottage
02-Jun-22	1.05	105	49 The Mount
11-Jul-22	1.85	107	Woodfield Cottage
09-Sep-22	4.60	108	Woodfield Cottage
14-Sep-22	1.60	108	Woodfield Cottage
10-Nov-22	1.60	103	49 The Mount
13-Dec-22	1.38	104	49 The Mount
03-Feb-23	2.58	108	49 The Mount
28-Jun-23	4.95	106	Woodfield Cottage
17-Aug-23	1.53	108	Woodfield Cottage
02-Oct-23	2.0	105	Woodfield Cottage
24-Oct-23	No trigger*	No trigger*	Woodfield Cottage
04-Dec-23	3.43	109	Woodfield Cottage
15-Feb-24	1.50	107	Woodfield Cottage
08-Apr-24	3.18	107	Woodfield Cottage
03-Jun-24	1.30	117	Woodfield Cottage + 16 The Mount
08-Jul-24	1.80	113	Woodfield Cottage
01-Aug-24	1.85	114	Woodfield Cottage
18-Dec-24	3.20	116	Woodfield Cottage
18-Feb-25	1.72	122	Pitcairn
03-Apr-25	3.92	116	Woodfield Cottage
11-Jun-25	3.42	118	Woodfield Cottage
27-Jul-25	1.52	119	Woodfield Cottage
27-Jul-25	1.47	123	Pitcairn Drive

Notes

*No trigger = blast level <0.5 mm/s⁻¹ ppv, which does not trigger the monitoring equipment.

Statistical Summary

- 100% of all blasts over the 40-month period have been below 10 mm/s⁻¹ ppv
- 100% of all blasts over the 40-month period have been below 6 mm/s⁻¹ ppv
- 76% of all blasts over the 40-month period have been below 3 mm/s⁻¹ ppv
- Highest blast level recorded – 4.95 mm/s⁻¹ ppv
- Average blast level recorded over the 40-month period is 2.25 mm/s⁻¹ ppv
- Total of 25 blasts took place over the 40-month period
- Average of just over 6 blasts per year over the 40-month period

ANNEX 3

25/00417/EIA



Breedon Trading Ltd

Noise Monitoring Programme

Balmullo Quarry

The recommended amendments to the operator's submitted Scheme are indicated in Red Bold type.

Rev 1: July 2025 (as amended by Fife Council's Planning Services, September 2025)

Balmullo Quarry – Noise Monitoring Programme

1.0 Introduction

This Noise Monitoring Programme has been prepared in accordance with the following noise limits:

Noise levels generated by normal mineral extraction operations, including the use of the haul road by HGV traffic, 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.

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

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

48dB LAeq 1 hour at all noise sensitive premises; and

65dB LAeq 1 hour at the boundary of Lucklaw Wood.

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

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 or machinery shall be controlled such that it does not exceed 70dB LAeq 1hr (freefield) at any adjacent noise sensitive premises and 65dB LAeq 1hr at the boundary of Lucklaw Wood.

Operations outwith the main quarry operational hours shall be undertaken with due care and with consideration to the local environment.

2.0 Monitoring Procedures

Noise monitoring will be undertaken at a number of representative locations at a frequency of not less than once per year.

Additional monitoring will be undertaken as required i.e. following a request from the Planning Authority, or in response to a complaint.

Following the completion of the monitoring, a report will be generated with a copy of the report retained by the operator at the site and a further copy submitted to the Planning Authority.

In the event that monitored noise levels exceed the noise limits/trigger levels stated in Section 2.0, the operator will inform the Planning Authority within 24 hours of the occurrence together with the measures undertaken to mitigate the impact. Further action will be agreed if required.

3.0 Methodology and Instrumentation

Noise monitoring will be undertaken in a free-field location, with the microphone placed at a height of between 1.2 -1.5 metres above the ground.

At each monitoring location, noise shall be monitored over a one-hour period, recording in 4 x 15 minute intervals. The following parameters shall be recorded:

- L_{Aeq} in dB
- L_{A10} in dB
- L_{A90} in dB
- L_{Amax} in dB

Monitoring will only be undertaken at a time when mineral extraction and processing is taking place at the site during authorised hours.

Calibration of the equipment shall be undertaken before and after each period and the instrumentation shall be supervised during monitoring.

Monitoring will be undertaken in accordance with the methods provided in BS 4142:2014, 'Method for rating industrial noise affecting mixed residential and industrial areas' (British Standards Institution).

Monitoring will be avoided, whenever possible at time when wind speeds are greater **than** an average 5ms^{-1} , temperature less than 3°C and during heavy precipitation. Meteorological conditions at the time of monitoring will be recorded.

Noise monitoring instrumentation shall correspond to Type 1 of BS 6698 "Specification for Integrating Averaging Sound Levels Meters", 1986.

The instrumentation will hold a valid certificate of calibration.

The monitoring and assessment will only be undertaken by appropriately experienced personnel.

Attended measurements to be undertaken at intervals representative of changes in operations at the site, in particular phase 1 and phase 2 of the approved extension.

4.0 Complaints Procedure

In the event of a noise complaint, the operator shall immediately instigate an investigation into the complaint.

The investigation will be undertaken by the operator and if considered appropriate to assist with the investigation, noise monitoring will be conducted to determine whether a breach of noise limits has occurred.

The Planning Authority will be informed within 7 days of receipt of the complaint together with the findings of the investigation and mitigation measures employed, if any, to reduce the impact.

In the event that the Planning Authority **considers** the complaint to be justified and further investigation and mitigation is required, the operator will cease the operations giving rise to the complaint until such time when a report detailing appropriate mitigation measures to be taken has been submitted to the Planning Authority and the measures detailed in the approved report are fully implemented.

All complaints received by the operator will be recorded in the logbook held at the quarry office and made available for inspection by the Planning Authority upon request.

5.0 Review

The Noise Monitoring Programme shall be reviewed by the operator at least once every two years or in the event of an exceedance of the noise levels stated in Section 2.

Any proposed changes to the monitoring procedure or the measurement locations will be submitted to the Planning Authority for approval prior to implementation.

ANNEX 4

25/00417/EIA



Breedon Trading Limited

Blast Vibration Monitoring Scheme

Balmullo Quarry

The recommended amendments to the operator's submitted Scheme are indicated in **Red Bold** type.

Rev 1: July 2025 (as amended by Fife Council's Planning Services, September 2025)

1.0 Introduction

A scheme for monitoring blasting was submitted to comply with Condition 12 of Planning Consent 05/00835/EEIA. This monitoring scheme has been reviewed and updated to support the application submitted under S74 and Schedule 10 of the Town and Country Planning (Scotland) Act 1997.

2.0 Trigger Values

Maximum ground vibration for blasting at any nearby vibration sensitive property shall be a peak particle velocity of 6mm/sec in **95% of all blasts measured over any period of 6 months** with no individual blast exceeding a peak particle velocity of 10mm/sec.

3.0 Locations and Frequency of Monitoring

At a minimum, each blast shall be monitored at the closest residential property, Woodfield. **Where considered necessary and appropriate, on occasion, and at the request of the Balmullo Quarry Liaison Committee, a second monitoring point may be established by the operator to complement the primary location.**

The scheme of monitoring shall be reviewed every two years or in the event of an exceedance of the vibration limits/trigger values set out in the planning consent.

4.0 Notification of Blasting Operations

At least 24 hours prior to each blast taking place, the operator will deliver notification by telephone of a blast to occupiers of the closest residential properties and to those properties that have requested notification of the intention to blast. A list of those to be notified shall be kept by the operator.

The notification will include the proposed date for blasting to take place and the likely time of the blasting operations.

The arrangements for notification of blasting operations may be amended, by agreement between all parties (community, operator and Fife Council as Planning Authority), at a meeting of the Balmullo Quarry Liaison Committee.

5.0 Methodology and the Control of Air Overpressure

Each blast shall be designed in accordance with the requirements of Part V: Explosives, Quarries Regulations 1999.

Due regard will be taken to ensure the effects of air overpressure is minimised. Measures employed will include:

- No secondary blasting.
- Prohibition on the use of a detonating cord on the surface of the blast.
- Adequate stemming material shall be employed in each borehole to confine the explosive charge.
- Prior to all blasts, the quarry face and boreholes will be inspected by a suitable qualified person with the findings of the inspection used to inform the blast design.
- Care shall be taken to ensure that boreholes are not over charged.

Monitoring shall take place using a minimum of 1 instrument and will be undertaken in accordance with the principles of BS ISO 4866:2010.

The weather conditions at the time of the blast will be noted and recorded.

Records of each blast and shall be retained at the quarry office for inspection if required.

6.0 Instrumentation and Monitoring Personnel

The monitoring equipment used will be a Vibrock V901 seismograph or similar instrument which records ground vibration in terms of peak particle velocity in three perpendicular plains of measurement and air overpressure in decibels.

All instrumentation shall carry a valid certificate of calibration.

Monitoring personnel will be appropriately experienced with respect to blast vibration monitoring.

7.0 Complaints Procedure

All complaints received by the quarry operator in relation to blast vibration will be immediately investigated and recorded in the logbook held at the quarry office together with any action undertaken as a result of the investigation.

The outcome of the investigation will be used to inform future blast design to ensure blasting operations do not give rise to complaint.

ANNEX 5

25/00417/EIA



Breedon Trading Limited

Dust Monitoring Scheme

Balmullo Quarry

The recommended amendments to the operator's submitted Scheme are indicated in **Red Bold** type.

Rev 1: July 2025 (as amended by Fife Council's Planning Services, September 2025)

1.0 Introduction

A dust monitoring scheme was submitted to comply with Condition 16 of Planning Consent 05/00835/EEIA. This monitoring scheme has been reviewed and updated to support the application submitted under S74 and Schedule 10 of the Town and Country Planning (Scotland) Act 1997.

2.0 Methodology to be Adopted

The monitoring of fugitive dust from the operations shall be undertaken at representative locations outwith the quarry boundary.

Continuous monitoring measurements shall be undertaken with the methodology set out in BS1747: Part 1, 1969, confirmed 1991 (deposit) and BS1747: Part 5, 1972, confirmed 1991 (directional). The results of the monitoring shall express the findings in terms of mg/m²/day and percentage effective area cover per day (%EAC/day).

Sample monitoring shall be undertaken during operational hours when the quarry is operating normally. Monitoring shall take place over a minimum three-hour period during which, the sample flow rate and duration of monitoring shall be noted. The samples shall be analysed and the results expressed in terms of mgm⁻³.

The operator shall carry out a visual assessment of dust emissions on a daily basis.

Details of all visual assessments are to be recorded in a logbook kept on site which will include date, time and wind direction, observations and identification of observer; and

If extreme adverse conditions are experienced the operator shall temporarily cease all dust causing activities that give rise to concern.

The results of all monitoring shall be shared with the **Balmullo Quarry Liaison Committee** and, if requested, to the Planning Authority.

3.0 Monitoring Locations

Continuous monitoring shall be undertaken at the residential property, Woodfield.

Where considered necessary and appropriate, on occasion, and at the request of the Balmullo Quarry Liaison Committee, a second monitoring point shall be established by the operator to complement the primary location.

Sample monitoring shall take place at locations both upwind and downwind of the quarry.

5.0 Instrumentation

Continuous monitoring shall be undertaken using a Frisbee Deposit Dust Gauges with a Directional Adhesive Strip attachment.

Additional sample monitoring shall be undertaken using high volume samplers.

All monitoring equipment shall be maintained in accordance with the manufacturer's guidelines.

6.0 Frequency of Monitoring

Monthly sampling shall be undertaken for the Frisbee Deposit Dust Gauges and Directional Adhesive Strips. The samples shall be collected from site and sent to an independent laboratory for analysis.

Sample monitoring shall take place on two occasions per annum.

7.0 Complaints

In the event of a complaint, the complaint shall be immediately investigated and, where appropriate, additional measures shall be employed to reduce dust emissions.

All complaints shall be recorded with a record held at the quarry and made available for inspection by the Planning Authority upon request.