

WEST DUNBARTONSHIRE COUNCIL

Report by the Executive Director of Housing, Environmental and Economic Development

Planning Committee: 6 March 2013

Subject: WP98/076: Review of Minerals Permission (ROMP), Sheephill Quarry, Milton, by William Thompson & Son Ltd.

1. Purpose

- 1.1** To advise the Committee of progress since this application was considered at the December 2012 Planning Committee meeting.

2. Recommendations

- 2.1** It is recommended that the Committee **notes the response of the Scottish Government**, and that the application will be returned to a future Planning Committee meeting for full consideration once the outstanding information is available.

3. Background

- 3.1** On 5 December 2012 the Planning Committee considered a report which recommended a new set of planning conditions for Sheephill Quarry, as part of a ROMP. Following a hearing the Committee decided to defer consideration of the ROMP until no later than 6 March 2013, in order to allow further information to be obtained on the issues of compensation and preservation of the archaeological site, including further discussions with Historic Scotland. Officers were instructed to contact the Scottish Government to request that the government meet the cost of any compensation in the event of the Council deciding to restrict quarrying of the Sheep Hill part of the site.

4. Main Issues

- 4.1** Unfortunately it has not been possible to obtain and consider all of the information requested in time for the ROMP application to be reconsidered at this meeting. The application will therefore be returned to a future Planning Committee meeting as soon as all the requested information is available. It is anticipated that this will be within the next two months.
- 4.2** In the meantime, the Scottish Government has now responded to the Council's enquiry about their position on compensation. A copy of the response letter dated 8 February 2013 is provided as an appendix to this report. The Council's request has been considered by the Scottish Ministers,

who acknowledge the contribution which Sheep Hill makes to the landscape character of the area, and the concerns about the quarry's impact upon archaeological assets. However, there is no provision in the legislation governing ROMPs which would give the Ministers power to pay compensation in such circumstances. The Ministers have however asked the officers of the Scottish Government's Planning and Architecture Division to offer their services in a brokerage role, if that would help to progress a way forward.

5. People Implications

5.1 No personnel issues.

6. Financial Implications

6.1 It appears that the Scottish Government would not be prepared to assist with any compensation payments which might arise, and responsibility for any compensation would therefore rest with the Council as planning authority. The financial implications of any new conditions will require to be considered at the relevant future Planning Committee meeting when the ROMP application is determined.

7. Risk Analysis

7.1 A risk assessment is not required

8. Equalities Impact Assessment (EIA)

8.1 An equalities impact assessment is not required.

9. Consultation

9.1 No consultation was required. The ROMP application is subject to public consultation, and additional representations received since the 5 December 2012 meeting will be detailed in the relevant future report.

10. Strategic Assessment

10.1 There are no strategic issues.

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Date: 15 February 2013

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Appendices: Letter from Scottish Government dated 8 February 2013.

Background Papers: Report to Planning Committee, 5 December 2012.

Wards Affected: Ward 3 (Dumbarton)