

Directorate for Local Government and Communities

Planning and Architecture
Planning Decisions

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Your ref: CL/12/0525
Our ref: NOD/SLS/001
18 February 2013

Dear Sir,

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1947
PROPOSED EXTENSION TO MINERAL EXTRACTION OPERATIONS AND
ASSOCIATED RESTORATION AND ENHANCEMENT WORKS AT HYNDFORD
QUARRY, LANARK**

1. I am directed by the Scottish Ministers to draw your attention to the enclosed Direction, which they have given in exercise of the powers conferred on them by Regulation 31 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008.
2. This Direction has been made in the light of the proposal's potential impacts on the buffer zone of the New Lanark World Heritage Site.
3. Accordingly, the Scottish Ministers take the view that it would be appropriate for South Lanarkshire Council to notify an application by Cemex UK Operations Ltd for the extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark (application number CL/12/0525). This Direction does not commit the Scottish Ministers to calling in any such application, but it does reserve their right to intervene.

Yours faithfully,

LUKE MCGARTY

**TOWN AND COUNTRY PLANNING (SCOTLAND) ACT 1947
THE TOWN AND COUNTRY PLANNING (NOTIFICATION OF APPLICATIONS) (SOUTH
LANARKSHIRE COUNCIL) (PROPOSED EXTENSION TO MINERAL EXTRACTION
OPERATIONS AND ASSOCIATED RESTORATION AND ENHANCEMENT WORKS AT
HYNDFORD QUARRY, LANARK) DIRECTION 2013**

The Scottish Ministers, in exercise of the powers conferred on them by Regulation 31 of the Town and Country Planning (Development Management Procedure) (Scotland) Regulations 2008 and all other powers enabling them in that behalf, hereby give the following direction:-

1. In the event that South Lanarkshire Council is minded to grant planning permission to Cemex UK Operations Ltd for the extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark (application number CL/12/0525) they shall send to Scottish Ministers the following information:-

(a) a copy of the planning application, accompanying plans and associated documentation (e.g. transport/retail assessment), together with the full address and post-code of the site to be developed;

(b) a copy of any environmental statement accompanying the application or, where an environmental statement has not been prepared:

• a copy of any screening opinion given by the planning authority in respect of any Schedule 2 development (as defined by regulation 2 of the *Environmental Impact Assessment (Scotland) Regulations 2011*); and

• a copy of any strategic environmental assessment that is relevant to the development;

(c) a copy of any appropriate assessment relating to the application, carried out under Part IV of the Conservation (Natural Habitats, &c.) Regulations 1994.

(d) copies of all observations submitted by consultees and all representations and petitions received, together with a list of the names and addresses of those who have submitted observations/made representations (including details of any petition organiser if known). Where 'pro-forma' representations are received, only one copy example need be submitted, but all names and addresses must be provided. Copies of petitions should be submitted, but only the organiser or first named should be included in the list of names and addresses;

(e) the planning authority's comments on the consultees' observations and on representations received, together with a statement explaining how the authority has taken these into account;

(f) the planning authority's reasons for proposing to grant planning permission, including, where relevant, a statement setting out the reasoning (i) behind the authority's decision to depart from the development plan, and/or (ii) for taking the decision it has, in light of any objections received.

2. The Scottish Government would expect, wherever possible, that the information is provided electronically by means of a link, or series of links to the relevant case file on the authority's website.

3. Subject to paragraph 4 below, where South Lanarkshire Council is minded to grant planning permission for the development referred to in paragraph 1 above they shall not do so before the expiry of the period of 28 days beginning with the date notified to them by the Scottish Ministers as the date of receipt by them of the information supplied by the Council in accordance with paragraph 1 of this Direction.

4. The Scottish Ministers may, during the said period of 28 days, notify South Lanarkshire Council in writing that an earlier or later date shall be substituted for the date of expiry of that period; and if on expiry of the period of 28 days or such other date as has been notified to them the Council have not received from the Scottish Ministers a Direction under Section 46 of the Town and Country Planning (Scotland) Act 1997 requiring the application to be referred to the Scottish Ministers instead of being dealt with by the Council, then the Council may proceed to determine the application.

5. This Direction is given to South Lanarkshire Council.

6. This Direction may be cited as the Town and Country Planning (Notification of Applications) (South Lanarkshire Council) (Proposed extension to mineral extraction operations and associated restoration and enhancement works at Hyndford Quarry, Lanark) Direction 2013.

pp. Luke Murray

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18 February 2013

