



Planning & Development Services

A Guide to Making An Application for Winning and Working of Minerals

(including the erection and use of buildings and plant for that purpose)

The following guidance notes have been prepared to help you apply for consent for the winning and working of minerals and following the guidance will ensure that your application is considered without delay and a decision is issued in as short a time as possible. If you need any help to complete any part of this form, or are unsure if consent is required, please contact The Environment Service, Pullar House, 35 Kinnoull Street, PERTH PH1 5GD or telephone 01738 475300.

Please note that you require a separate application form for planning consent, building warrant, listed building consent, conservation area consent and advertisement consent.

1 Name and Address of Applicant and Agent

If this form is completed by an agent, all correspondence from the department will be sent to him. If the agent is a firm or partnership, please give the name of a partner/associate/employee who can be contacted by telephone if necessary.

2 Address of the Application Site

Please supply full address of the site of the mineral workings.

3 Type of Application

Tick the appropriate box.

4 Area of Site

State in hectares the area of the site which is the subject of the application.

5 Related Applications

If known please give reference numbers of previous consents.

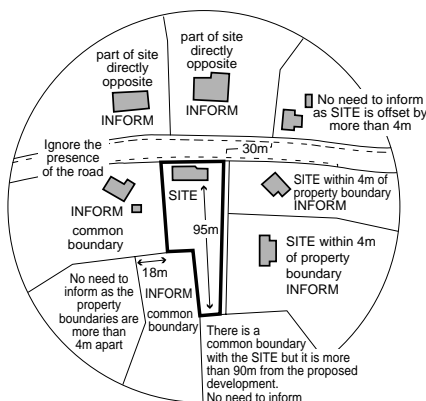
6 Method Statement

It is essential that you include in your application a document, to be entitled a Method Statement, which describes the existing site and provides full details of the proposed development. The Method Statement should include such details as the following:

- **Existing Uses**
 - confirmation of the purpose for which the land and any buildings are used at present
- **Proposed Working**
 - status of the proposal eg a new working, a continuation of an existing working or a resumption of a previous working
 - type or types of minerals to be extracted
 - method, direction and estimated rate of working
 - proposed hours of operation
 - estimated period of extraction operations
 - in the case of surface workings, the estimated maximum depth of the excavations (eg illustrated by cross-section drawings of existing and proposed ground levels)
 - in the case of underground working, the extent of any estimated subsidence
 - means of disposal of overburden, spoil or debris
- **Landscape**
 - details of the position of any existing trees, indicating those to be retained or removed
 - details of any restoration and landscaping proposals
- **Access to Roads**
 - details of any new or altered access to a public road
 - the name or number of the public road affected
 - an estimate of the direction and frequency of lorry movements to and from the site
 - details of any right of way to be affected
- **Plant and Buildings**
 - details of building to be erected, plant to be sited or installed and engineering operations
- **Noise Emission**
 - estimate of existing and proposed noise levels at the site boundaries (calculated in accordance with BS4142:1990)

7 Neighbour Notification

You must notify all neighbours of the application site for which you are submitting a planning application to allow the neighbours to have the opportunity to inspect, and if necessary comment upon, the planning application. You must accompany the notice with a plan to identify the location of the application site. You must complete this question to confirm that you have notified the neighbours of the submission of your application, and to identify those neighbours. Failure to correctly notify neighbours means that your application cannot be registered.



Copies of the neighbour notification form for you to complete and serve on each neighbouring are issued with the application form and these guidance notes. Recorded delivery is the preferred method of sending out notices as the receipt provides proof of delivery in the event of a dispute.

If the neighbouring property is domestic (eg a house or flat) two copies of the notice and location plan must be issued one addressed to "the owner" and the other to "the occupier".

Neighbour notification is a complicated part of planning legislation and a common source of difficulty for applicants. If in doubt, therefore, contact Planning for advice.

8 Land Ownership

If the applicant does not own the land or building which is the subject of the planning application or if the land forms part of an agricultural holding, you must inform the owner and/or tenant by serving on them a land ownership notice and by completing this question. In most cases it will be appropriate to complete answer **A**, ie where the applicant is the owner of the ground or the lessee under a lease, the unexpired term of which is not less than 7 years. If the applicant is not the proprietor of the ground or the lessee under a lease, answer **B** will almost always be appropriate. As an alternative, the Council will advertise the application, at the applicant's expense, but only where it can be shown that the applicant has taken all reasonable steps to identify the owner.

9 Declaration

Application Form

You must provide two copies of the completed and signed application form (one should be a photocopy).

Plans

You must submit four copies of each appropriate plan as follows:

- **A Site Plan** sufficient to identify the land to which the application relates, ideally based on an Ordnance Survey plan. If the applicant owns or controls any adjoining land this must be edged with blue lines.
- **A Layout Plan** to a scale of not less than 1:500 showing the following:
 - the boundary and acreage of the land and of any adjoining land under the control of the applicant
 - the position and width of any existing and of any proposed accesses
 - the position of any existing and of any proposed buildings
 - the area (if any) already worked
 - the areas proposed to be worked and phases of working
 - the sites of any existing and of any proposed tips
 - the sites proposed for the storage of materials
 - the depth, length and orientation of working face
 - the site of the explosive magazine
 - the site of any proposed fences, walls etc
- **Cross Sections** of the site to indicate present, excavated and restored levels throughout the proposed area of working.

Four copies are required of each plan, one set to be coloured to clearly show proposed works.

Neighbour Notification

You must serve the neighbour notifications.

Neighbour Notification Plan

You must enclose a location plan identifying the neighbours you have notified.

Land Ownership

You must serve the land ownership notification, as appropriate.

Fees

You must pay a fee before the Council will commence consideration of your planning application. The fees required are set out by the Scottish Executive - see the Town and Country Planning (Fees for Applications and deemed applications) (Scotland) Regulations. A summary is attached for your guidance. Cheques should be made payable to "Perth & Kinross Council".

"Bad Neighbour" Development Fee

You must pay an additional fee of £100 as all applications for winning and working of minerals are regarded as "bad neighbour" development.

Completed Applications

Your completed application may be sent to the Executive Director (Environment), Perth & Kinross Council, Pullar House, 35 Kinnoull Street, PERTH PH1 5GD or delivered by hand to Planning reception or to any of the Council's area offices during normal office hours. Failure to complete the forms satisfactorily or to provide all the necessary plans is likely to result in your application being delayed.

What Happens Next?

On receipt of the application, it will be checked by the Planning service. If the application is not complete, you will be sent a letter specifying the outstanding information that is required before the application can be registered. Once the application is complete, it will be registered, you will be sent a letter confirming the brief description of the proposed development, the application reference number, and the date of registration. You may appeal to the Scottish Ministers if the application is not determined within two months of the date of registration, unless you agree to an extension of time.

Planning will undertake appropriate consultations with other statutory agencies (such as Scottish Natural Heritage), if necessary publicly advertise the application, inspect the site, undertake a professional assessment of the proposed development, and either prepare a recommendation or determine the application.

The determination of the majority of applications is delegated to the Executive Director (Environment). Some planning applications are referred for decision to the Development Control Committee of the Council, which meets monthly, and which the public may attend.

In due course, you will receive a written decision to approve, to approve with conditions, or to refuse the planning application. Reasons will be given for any conditions attached to an approval and reasons will be given for refusal of consent.

The pressure on Planning to determine a large number of applications as effectively and efficiently as possible means that the applicant, or the agent, will only be contacted when Planning requires the applicant to give further consideration to a particular issue, eg to provide additional information which may be required to enable a statutory consultee to respond, or to consider suggested amendments to the proposal.