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20 FEB 2009  
NA/SLS/059

Enterprise Resources  
Executive Director [REDACTED]  
Planning and Building Standards Services

Scottish Government Development  
Department  
Planning Decisions Unit  
Area 2-H  
Victoria Quay  
Edinburgh  
EH6 6QQ

Our ref: CL/08/0367  
Your ref:  
If calling ask for: [REDACTED]  
Phone: [REDACTED]  
Date: 18 February 2009

Dear Sir/Madam

**The Town and Country Planning (Notification of Applications) (Scotland) Direction 2007**

**Planning Application No: CL/08/0367**

**Extraction of Coal and Fireclay by Opencast Methods with Restoration to Agriculture and Woodland**

**Land at Mainshill adjoining A70 and B7078 nr Newmains Farm South Lanarkshire**

I refer to the above application which was approved by South Lanarkshire Council's Planning Committee on 10 February 2009. Under the above mentioned Direction, the Council is required to notify you that it intends to grant planning permission as the proposed development is "EIA Development" as defined in regulation 2 of the Environmental Impact Assessment (Scotland) Regulations 1999.

I enclose the information required under the Direction as detailed below:

**(a) Planning application and plans**

- Planning Statement
- Environmental Statement
- Environmental Statement – Non Technical Summary
- Confidential Appendix
- Upper Clyde Windfarm Cumulative Impact Assessment – Supplementary Report
- Flood Risk Assessment
- Survey of Aquatic Invertebrates

Montrose House, 154 Montrose Crescent, Hamilton ML3 6LB Phone: 08457 406080 Fax: 01698 455948  
Text Phone: 01698 454039 Email: enterprise.hq@southlanarkshire.gsx.gov.uk



- Geology and Hydrogeology Supplementary Report
- All plans are enclosed within the above documents.

**(b) Environmental statement / strategic environmental assessment**

- Environmental Statement and Environmental Statement – Non Technical Summary enclosed.

**(c) Appropriate assessment**

- None required.

**(d) Consultation responses and representations**

- Copies of consultations enclosed.
- Copies of all individual letters of representation and pro-forma letters of representation are enclosed. A full list of names and addresses of all those who made representations is also provided.

**(e) Comments on consultation responses and representations**

- Comments on individual responses from consultees and representees are covered in the committee report.
- In addition to the above, prior to the Planning Committee sitting the outstanding issue in relation to Flood Risk Assessment was resolved. Please see letter from the Council's Roads and Transportation Service dated 9 February 2009 to Scottish Coal confirming this. In turn the Planning Committee was informed of this, which negated the need for condition 20. You may wish to note that a further consultation response from the Council's Environmental Services Department was received dated 13 January 2009 which addressed a number of issues raised and this is reflected in the Committee Report. Further, in reporting to the Planning Committee it was highlighted that a condition in relation to the submission of an annual progress plan had been omitted and therefore should be included in the schedule of conditions. The detailed wording of that condition is:

That within one year of the date of commencement as defined by condition 3 (and on that date each year thereafter), the operator shall submit to the Council as Planning Authority, an annual progress plan detailing:

- The extent of extraction operations undertaken that year;
- Areas prepared for extraction;
- The extent of backfilling or restoration operations carried out;
- The extent of landscaping, nature conservation and agricultural works that have been implemented;
- Recent site survey;
- Current and anticipated production figures;
- Remaining reserves;
- Compliance with statutory permissions;
- Site complaint logs and actions taken.

- Set out details of any proposed changes or departures from the approval set out in this consent and address any implications that these may have on the final restoration end use or operational aspects of the site.

Reason: To assist with the ongoing monitoring of the site.

- Subsequent to the Committee, a response from SEPA dated 13 February 2009 was received commenting on the Geology and Hydrogeology Supplementary Report, and a copy of that is enclosed. While noting that this correspondence post-dates the Planning Committee it is considered appropriate that you have the most update information.

**(f) Reasons for proposing to grant planning permission**

- Justification is included in the committee report.

As you will note from the Committee report a hearing was offered to the objectors. However, despite representatives of the objectors indicating that they were to appear at the Committee no representative turned up on the day and therefore no hearing was held.

I trust the above is in order, however should you require any further information, please contact me on the above number.

Yours sincerely

[Redacted Signature]

[Redacted Name]

**Planning and Building Standards HQ Manager**

**Form MIN**

01/05



Enterprise Resources

# Planning Application Form

## To win and work minerals, infill land etc.

Town &amp; Country Planning (Scotland) Act 1997

**N.B. Please refer to notes of guidance prior to completing this form**

**1. Name and address of applicant(s) See note 1**

Scottish Coal Company Limited  
Castlebridge Business Park  
Gartlove  
Alloa

Post code

Daytime tel. no.

**2. Name and address of agent (if any)**

Post code

Tel. no.

Contact name

**3. Full address of application site**  
(please outline site in **red** on all your location/block plans)

Land at Mainshill adjoining A70 and B7078  
nr Newmains Farm  
Douglas  
South Lanarkshire

Post code

(if you own or control any land adjoining the application site please outline this area in **blue** on all your location/block plans)

**4. Description of proposed development See note 2**

Extraction of Coal and Fireclay by Opencast Methods, Formation of Site Support Area, Coal Processing Area & Water Treatment Areas and Formation of Access to B7078 with Restoration to Agriculture & Woodland

**For official use only**

Application no.

Receipt no.

Date of receipt

Fee paid

**5. Site Area (in hectares)**

136 hectares

**6. What is the present use of the land (including any buildings)?**

Agriculture (grazing) and forestry plantation

**7. Is the application for (tick one box only)****a. New Working**

(please provide date on which it is intended to start operations)



December 2008 (assumed start date for cumulative assessment purposes)

**b. Continuation or extension of an existing working**

(please provide date and reference number of existing planning consent and date on which existing working commenced)

**c. Resumption of a previous working**

(please provide date and reference number of previous planning consent, date when working was abandoned and reasons for this abandonment)

**d. Amendment to an existing consent**

(please provide date and reference number of existing planning consent)

**8. What type(s) of mineral are to be extracted and/or what materials are to be deposited?**

Coal and fireclay

**9. What is the estimated period of operations?**

5 years (6 months start up period, 3.5 year coaling period and 12 months final restoration period)

**10. What is the method of working?**

See Section 2 of the accompanying Planning Application Supporting Statement

**11. What is the estimated rate of working** See note 3

Estimated average weekly output of 10,120 tonnes of coal and 952 tonnes of fireclay

**12. What will be the days and hours of operation?**

06.00 - 22.00 hours Monday to Friday &amp; 07.00 - 13.00 hours Saturday (see also p10 of Planning Statement)

**13. Traffic Generation**

- a. How many vehicles will enter and leave the site daily? See note 4

Estimated average loads leaving site per day: 64 coal & 6 fireclay (128 movements of coal & 12 of fireclay)

- b. What routes will be used? See note 5

From B7078 then either A70 to Ravenstruther rail terminal or M74 at Junction 11. See also page 11 of Planning Application Supporting Statement

**14. How many people will be employed on the site? See note 6**

Up to 93 people employed directly on site.

**15. Surface Workings See note 7**

- a. What is the estimated maximum depth of excavation or deposition of materials?

Estimated 50m maximum depth of working

- b. How will the overburden be dealt with?

Initial storage in two overburden storage mounds. See Section 2 of the accompanying Planning Application Supporting Statement for full details

**16. Underground Workings See note 8**

- a. How will the soil or debris be dealt with?

n/a

**17. Restoration (please provide details of the following): See note 9**

- a. Proposed use(s) of the site when extraction/infill is complete

Agriculture and native woodland with biodiversity enhancement and public footpath

- b. How the land will be reinstated

See Section 2 of the accompanying Planning Application Supporting Statement for full details

- c. Phasing

See Section 2 of the accompanying Planning Application Supporting Statement for full details

- d. Aftercare

See Section 2 of the accompanying Planning Application Supporting Statement for full details

**18. Erection of plant or buildings and engineering operations**  
(provide details where applicable)

a. Type(s) of Plant

Mobile coal washing, screening and crushing plant

b. Proposed use of buildings

Portacabin type buildings used for site office, messrooms, storeroom and weighbridge office

c. Brief description of engineering operations

Formation of new access from B7078 as shown in the plan within Appendix 9.1 of the Environmental Statement

**19. Trees**

Will the operations have any impact on trees within /adjacent to the site?

Yes  No

If yes, please provide details

See Section 2 of the accompanying Planning Application Supporting Statement for full details

**20. Have any pre-application discussions taken place with Planning and Building Standards Services on the proposal?**

Yes  No

**21. Planning fee** (Please tick as appropriate) See note 10

I enclose a fee of £ 21,950

No fee required

# Neighbour Notification Certificate See note 11

under Article 9 of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.

22. I/We hereby certify that (tick one box only)

**1** The required neighbour notification notice has been sent to all persons, (owner, occupier or lessee; whichever applicable), holding a notifiable interest in the neighbouring land together with a plan showing the location of the proposed development as listed below.

**Important: all neighbour notification notices must be served on neighbours on the same day that you submit your application to planning.**

**2** No notification is required since there is no one with a notifiable interest in the land neighbouring the site.

**3** All reasonable steps have been taken to find the names and addresses of those who require to be notified. Despite these steps listed below, it has not been possible to give a copy of the neighbour notification notice to those concerned.

**4** A copy of the neighbour notification notice has been given to those who require to be notified whose names and addresses could be found. All reasonable steps have been taken to identify the others but despite these steps listed below, it has not been possible to give a copy of the neighbour notification notice to all those concerned.

**Important: all neighbour notification notices must be served on neighbours on the same day that you submit your application to planning.**

Those notified are:

**(a) Domestic/residential property**

The address(es) of the "owner" and the "occupier" which the required notices have been sent to are:

Address(es)	Date notified	Address(es)	Date notified
None			

(continue on notified neighbours sheet if necessary)

**(b) Non-domestic property**

Name(s)	Address(es)	Date notified	Owner, occupier or lessee
See attached Neighbour Notification List & Plan			

(continue on notified neighbours sheet if necessary)

The steps taken to identify notifiable parties (see 3 or 4 above) are

--

N.B. If notification cannot be undertaken the applicant will have to pay a fee to cover the cost of a public notice in the local newspaper. Please contact the appropriate area office for further information, including the cost of the advert.



# Ownership Certificate See note 12

under Article 8(8) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992

23. ~~I~~we certify that 21 days before the date of this application that, (tick one box only)

- 1 ~~I~~The applicant\* did own all the land involved. None of the land relates to or forms part of an agricultural holding.

---

- 2 ~~I~~The applicant\* did **not** own all the land involved, but have/has\* notified the owners of any part of the application site, who are listed below. None of the land relates to or forms part of an agricultural holding.

---

- 3 ~~I~~The applicant\* did own all the land involved which relates to or forms part of an agricultural holding. [The applicant has notified the agricultural tenants of affected land who are listed below.\*]

---

- 4 ~~I~~The applicant\* did **not** own all of the land involved, but ~~have~~/has\* notified the owners of any part of the application site, who are listed below. ~~I~~The applicant\* ~~have~~/has\* also notified the agricultural tenants of affected land, who are listed below.

(\* Please delete as appropriate)

The owner(s) and/or agricultural tenants notified are:

Name	Address	Owner or agricultural tenant	Date notified
Douglas & Angus Estate	Estate Office, Newmains, Douglas Lanark, ML11 0RH	Owner	30.06.08
<span style="background-color: black; color: black;">[REDACTED]</span>	Scrogton Farm, Douglas, Lanark, ML11 0RW	Tenant	30.06.08

(continue on a separate sheet if necessary)

N.B. If you do not know who owns the application site, or part of it, you should contact the appropriate area office to obtain the relevant certificate in terms of Article 8(8)(b)(iii) of the Town and Country Planning (General Development Procedure) (Scotland) Order 1992.

24. Does the proposed development involve any of the following? See note 13  
(tick the appropriate boxes)

The construction of buildings or other operations, or use of land - Yes  No

- a. for the disposal of refuse or waste materials;
- b. for the winning or working of minerals.

The construction of buildings, operations, and use of buildings or land which will -


Yes  No

- a. affect residential property by reason of fumes, noise, vibration, smoke, artificial lighting or discharge of any solid or liquid substance;
- b. alter the character of an area of established amenity;
- c. bring crowds into a generally quiet area;
- d. cause activity and noise between the hours of 8pm and 8am;
- e. introduce significant change into a homogeneous area.

### Declaration See note 14

I hereby certify that the information given by me in this form is true and accurate to the best of my knowledge.

Signature of applicant/agent  
(Delete as appropriate)

 ON BEHALF OF SCOTTISH COAL

Date

30th June 2008

**Important: anyone who knowingly or recklessly makes a false declaration is liable, on conviction, to a fine.**

### Data Protection Act 1998




In terms of the Town and Country Planning (Scotland) Act 1997, the council is required to maintain a public register of specified information relating to planning applications which are submitted. The council is required to make that register available for public inspection. In addition, the council is required to make some of that information available to Community Councils in the form of a published Weekly List of Planning Applications received. This Weekly List is also available for sale.

Accordingly, by submitting this application you are consenting to the processing of the relevant data under the terms of the Data Protection Act 1998 and to the inclusion of that data in the public register and the Weekly List. If you do not wish to be included in the Weekly List for public sale, please tick here.



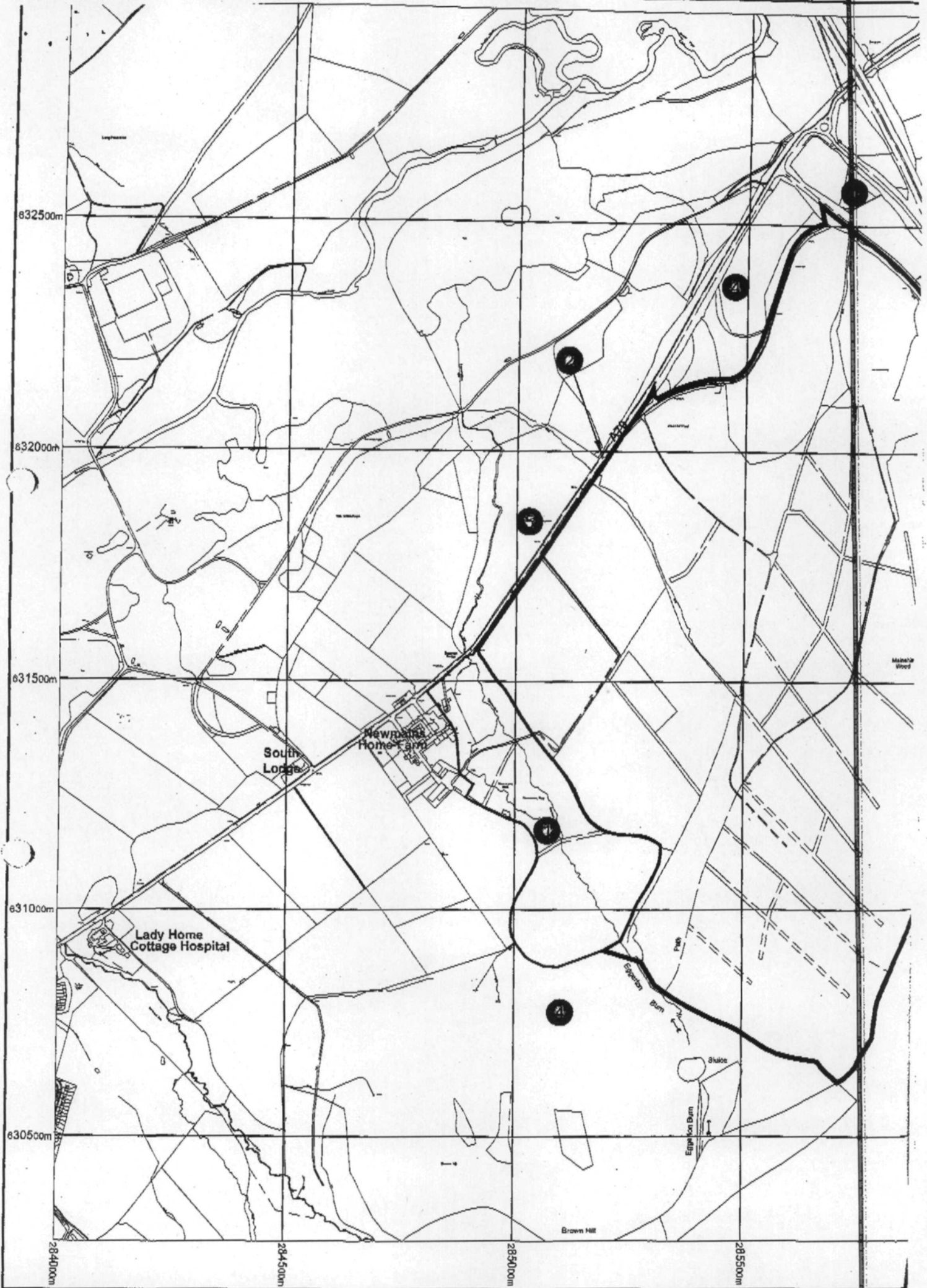
**Mainhill Opencast Coal Site**  
**Neighbour Notification**  
**Domestic & Non Domestic Property**

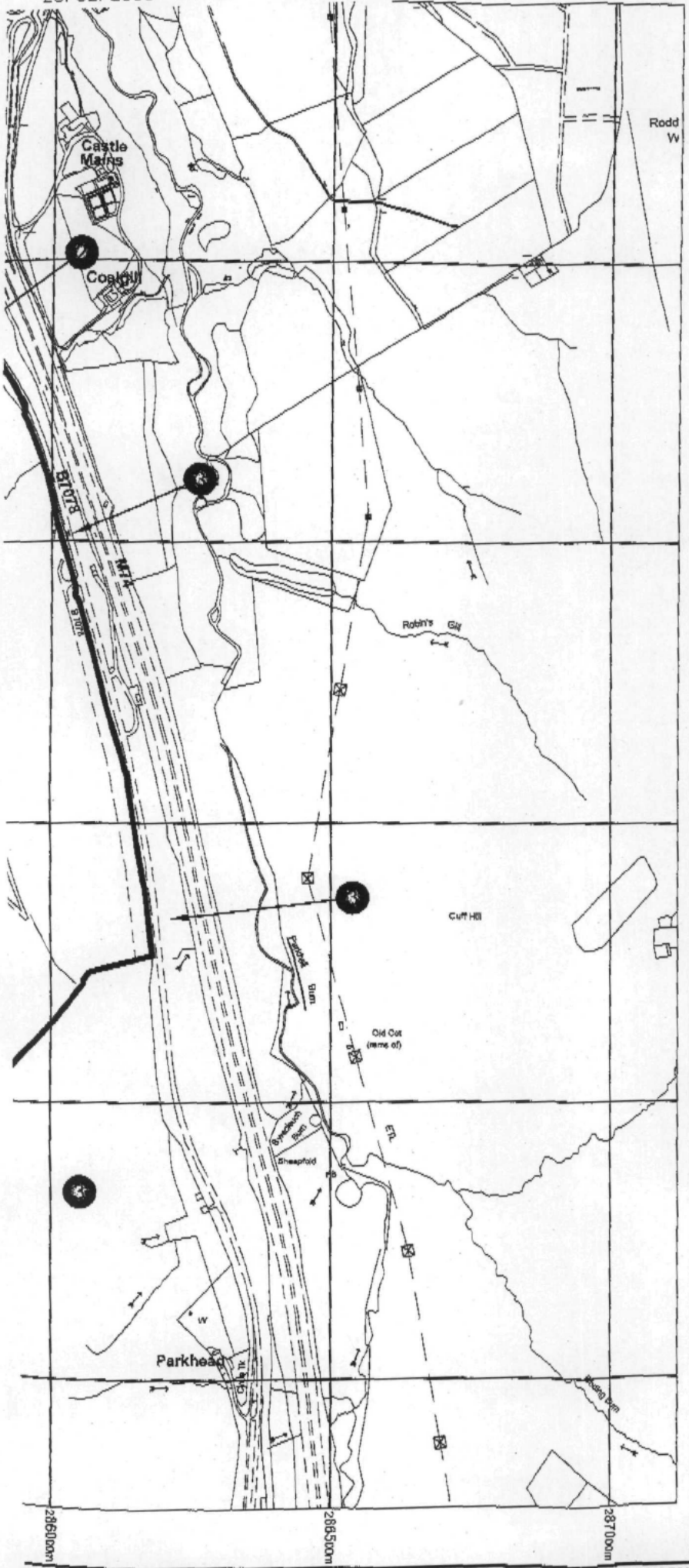
Plan No.	Name	Address	Date Notified
1.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	Occupier	As above	30.06.08
2.	South Lanarkshire Council (owner)	Roads & Transportation Dept. Montrose House 154 Montrose Crescent Hamilton ML3 6LL	30.06.08
3.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	[REDACTED] (tenant)	Gateside Farm Douglas Lanark ML11 0SA	30.06.08
	Occupier	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
4.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	[REDACTED] (tenant)	Scrogton Farm Douglas Lanark ML11 0RW	30.06.08
	Occupier	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08

5.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	 (tenant)	West Glespin Farm Glespin Lanark ML11 0SQ	30.06.08
	Occupier	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08

Note

Although not required by the statutory neighbour notification requirements due to distance from the application site boundary, notification letters have been sent to the residential occupiers of properties at Newmains Farm, South Lodge, Castle Mains, Coalgil and Millbank being the closest properties to the application site.





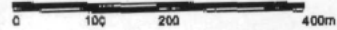
A Member of the Scottish Coal Group

**Key**

- Application boundary
- Land controlled by Applicant

- Douglas & Angus Estate
- South Lanarkshire Council Roads Department
- Douglas & Angus Estate/ [Redacted]
- Douglas & Angus Estate/ [Redacted]
- Douglas & Angus Estate/ [Redacted]

Scale 1:10,000 @ A3



**Neighbour Notification**

**Mainhill OCCS**

**ENVIRONMENTAL IMPACT ASSESSMENT  
(SCOTLAND) REGULATIONS 1999  
CERTIFICATE UNDER REGULATION 13(3)**

Extraction of Coal and Fireclay by Opencast Methods, Formation of Site Support,  
Coal Processing Areas & Water Treatment Areas and Formation of Access to  
B7078 with Restoration to Agriculture & Woodland  
Land at Mainshill adjoining A70 and B7078 nr Newmains Farm,  
Douglas, South Lanarkshire

I certify that The Scottish Coal Company Limited has served the requisite notice under the terms of Regulation 13(3) of the Environmental Impact Assessment (Scotland) Regulations 1999 on the parties listed who hold a notifiable interest in neighbouring land.

**Date of Serving Notice:** 30<sup>th</sup> June 2008



**Signed:** ..... [REDACTED] ..... [REDACTED]  
On behalf of The Scottish Coal Company Limited

**Date:** 30<sup>th</sup> June 2008



## Mainhill Opencast Coal Site

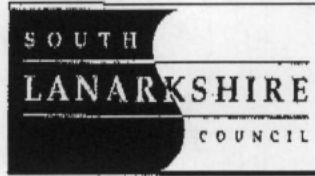
### ENVIRONMENTAL IMPACT ASSESSMENT (SCOTLAND) REGULATIONS 1999 CERTIFICATE UNDER REGULATION 13(3) (contd).

Plan No.	Name	Address	Date Notified
1.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	Occupier	As above	30.06.08
2.	South Lanarkshire Council (owner)	Roads & Transportation Dept. Montrose House 154 Montrose Crescent Hamilton ML3 6LL	30.06.08
3.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	 (tenant)	Gateside Farm Douglas Lanark ML11 0SA	30.06.08
	Occupier	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
4.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	 (tenant)	Scrogton Farm Douglas Lanark ML11 0RW	30.06.08
	Occupier	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08

5.	Douglas & Angus Estate (owner)	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08
	[REDACTED] (tenant)	West Glespin Farm Glespin Lanark ML11 0SQ	30.06.08
	Occupier	Estate Office Newmains Douglas Lanark ML11 0RH	30.06.08

Note

Although not required by the statutory neighbour notification requirements due to distance from the application site boundary, notification letters have been sent to the residential occupiers of properties at Newmains Farm, South Lodge, Castle Mains, Coalgil and Millbank being the closest properties to the application site.



Enterprise Resources  
Executive Director Iain Urquhart  
Planning and Building Standards Services

### Fax

To: [Redacted]

Our ref:

Fax No: [Redacted]

Your ref:

If calling ask for: [Redacted]

From: [Redacted]

Phone: [Redacted]

Date: 23 FEB 09

No of pages (including this one): 16

Message:



INVESTOR IN PEOPLE

