

Archibald B (Brian)

From: Andrew Brownrigg <ABROWNRIGG@aberdeencity.gov.uk>
Sent: 30 March 2016 10:26
To: Archibald B (Brian)
Cc: Claire McArthur; Donna Laing
Subject: RE: PROPOSED ABERDEEN LOCAL DEVELOPMENT PLAN - FURTHER INFORMATION REQUEST 03 - ISSUE 14 – ALTERNATIVE SITES LOIRSTON & COVE (LAND AT BLACKHILLS OF CAIRNROBIN)
Attachments: HSE Letter dated 20 November 2003.pdf
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Hello Brian,

The below refers to Further Information Request 03 concerning Land at Blackhills, Cairnrobin (Issue 14).

The Council has been asked to supply our understanding of the stand-off distances that may be required between operations such as those being carried out at Blackhills Quarry and any new business development, and to reference and supply any applicable national guidance or policy that may apply.

The main control over blasting operations is 'Health and Safety at Quarries: The Quarries Regulations 1999', however references to land use planning within this Code of Practice are limited. It is our understanding that the Health and Safety Executive do not set specific danger zones for blasting operations; but rather these are to be determined by the operators for each individual blast. That being said, the Health and Safety Executive, on 20th November 2003, wrote to Aberdeen City Council on this matter, and with particular reference to Blackhills Quarry. A copy of this letter is provided for your reference. This letter states that the Council's approach of not allowing any housing or other development within four hundred metres of a quarry boundary "was based upon sound judgement, past advice and with a thoughtful knowledge of quarrying activity", and the author goes on to state that "I remain convinced that the distance already referred to, is a minimum good practice".

Further, Scottish Planning Policy (CD05, para 242) states that: "Operators should provide sufficient information to enable a full assessment to be made of the likely effects of development together with appropriate control, mitigation and monitoring measures. This should include the provision of an adequate buffer zone between sites and settlements, taking account of the specific circumstances of individual proposals, including size, duration, location, method of working, topography, the characteristics of the various environmental effects likely to arise and the mitigation that can be provided."

This matter was considered by Reporters as part of the Examination into the extant Aberdeen Local Development Plan (2012) (Issue 58 CD44). The conclusion given by the Reporters at that time was that development within the 'buffer zone' of Blackhills Quarry for employment uses would, in that instance, be inappropriate. It is noted that detailed planning permission to extend Blackhills Quarry was granted by Aberdeen City Council on 07th January 2015 (Application Reference P130490), after the Proposed Aberdeen Local Development Plan was approved by the Council's Communities, Housing and Infrastructure Committee on 28th October 2014.

If you need any further clarification on this matter then please do not hesitate to get in touch.

Regards, Andy

Andrew Brownrigg

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Health & Safety Executive

Principle Inspector Mr Terry Williams :

Aberdeen City Council
City Development Services
St Nicholas Street
Aberdeen
AB10 1BW
For the attention of
Mr Alex Scott, Senior Planner

Your Reference:

Our Reference:

20 November 2003

Dear Sir

RESIDENTIAL PROPOSED DEVELOPMENT- BLACKHILLS QUARRY

I respond to your letter dated 14 November 2003, regarding the planning application for residential building near Blackhills Quarry.

Firstly, my understanding is that for many years, Aberdeen (Grampian) Council have operated a policy of not allowing housing and other development within four hundred metres of a quarry boundary. I believed this policy was based upon sound judgement, past advice and with a thoughtful knowledge of quarrying activity. I have referred to this many times throughout Scotland, to that good practice, thought to be implemented by you.

The planning application presented to me on 27 June 2003 was for residential property within that distance and open discussions took place between our parties. My written response echoes the points raised by me at the meeting:-

Blasting activity is strictly controlled by Quarries based regulations. These new regulations were mainly brought in, because of flyrock (rock outside the blast zone) from blasting activity. Hence the distance of four hundred metres appears to me as a well judged distance, based upon sound judgement, past advice and a knowledge of quarrying activity to reduce rock projection from reaching dwelling houses.

It important to stress however, there are duties placed upon quarry operators to conduct their undertaking safely. The operators, Leiths (Scotland) Ltd, have so far done this in respect of blasting. However the rock formation can change, human frailties can occur and I remain convinced the distance already referred to, is a minimum good practice. Vibration can occur depending upon strata and blast design. Dwellings may or may not be subjected to ground vibration.

As you may be aware, airborne dust can generate from normal quarrying activity and it may be likely some may stray over the proposed area. Noise is another factor.



Reducing risks - protecting people

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On both, there are regulations in place. Airborne dust is sometimes difficult to totally control.

There is an explosive store already built, which should be out with a specified distance from a dwelling house.

In conclusion the policy of the Aberdeen Council thought by me to be in force (400 metres) is a good bench mark and I recommend that you should give this serious consideration when making any planning application decision, that is it should be used as a minimum distance from any quarry boundary, particularly where blasting occurs. This application is no exception, particularly if the dwellings fall within that area.

The decision for planning however, lies with the Aberdeen Council. There are no regulations which specifies distances.

My own experience lies with over 35 years in the industry, with seventeen of those years as an HM Inspector of Health and Safety, (Quarries Specialist). I have an in depth knowledge of blasting, I have first hand in depth practical experience in drilling and blasting and I am a member of The Institute of Explosive Engineers, have passing the examination both written and theoretical.

I trust the above is useful to you, if you require any further information or advice please do not hesitate to contact me. If you wish to discuss this again, I am in Aberdeen on a regular basis.

As I refer to Leiths (Scotland) Ltd, I enclose a copy of my reply to them, to be open to both parties.

Yours faithfully



M H Martin
HM Inspector of Health & Safety

cc Leiths (Scotland) Ltd

HEALTH & SAFETY EXECUTIVE