



## **QPANI Response to Minerals Section of SPPS Consultation Paper**

**April 2014**

QPANI believe the draft SPPS has not appropriately reflected and updated, in a strategic way, the existing planning policy approach with respect to mineral developments in Northern Ireland. We believe that a strategic approach to updating and providing conscious mineral planning policies requires strategic analysis of the mineral industry, resources and reserves is required. A fundamental understanding of the minerals industry and future requirements for the same is paramount in order to provide for an informed and working strategic planning policy. We would strongly recommend a strategic review of the Northern Ireland mineral planning regime is required in advance of determining appropriate planning policy.

We do however welcome the clear recognition that the SPPS gives to the economic and social importance of Minerals and Aggregates and the clear statement of fact that they can only be extracted where they are found. We also welcome the statement that "The key aim of the SPPS in regard to minerals extraction / development is therefore to identify and safeguard workable resources for potential future development and to prevent over exploitation reflecting their importance to the economy and in the interests of environmental protection".

**However QPANI would wish to see more clearer statement that includes;**

- The need for minerals and aggregates planning responsibility to fall within a shared resource due the specific skills required for mineral panning.
- Councils to assess the supply and demand requirements for aggregates not only within their own Council area but supplies and demand from other council areas within Northern Ireland. For example the new Mid Ulster Council and Derry and Strabane Council Areas will control 90% of the sand extraction in Northern Ireland. Construction activity in Belfast is totally dependant on this supply chain. There obviously needs to be some central control and joined up thinking to manage and sustain the vitally important construction material supply chain.

- Councils need to recognise the importance of the export value of construction materials and their value to the Northern Ireland economy. In particular the Gritstone quarries in Co Down and Armagh export significant tonnages of high psv stone to enhance skid resistance on roads across southern England and Europe.
- We would also suggest that recognition needs to be given to the enormous potential for the creation of valuable wildlife habitats as part of on-going restoration during the life of the operational extraction site and final restoration plans that can add significantly to local biodiversity and the protection and enhancement of priority species and habitats. Remember, across the UK over 700 ASSIs were former quarries and mineral sites.
- Direction should be given to Councils to utilise the excellent baseline information that is available through the Mineral Resource MAP developed in 2012 in partnership between DOENI/DETINI/BGS. This is available at

<http://www.bgs.ac.uk/mineralsuk/planning/resource.html>

We would add

1. The sentence in **paragraph 6.131**, “planning can safeguard mineral resources and facilitate their responsible use” should be replaced with ‘planning will safeguard mineral resources and facilitate their responsible use’.
2. Current general policy for minerals development provides a “general presumption in favour of such development but indicates the need to balance the value of minerals to the economy with the development’s environmental implications and the level of mitigation when dealing with an individual proposal” – We don’t think that the ‘balanced approach’ required is clearly reflected in a strategic way throughout the SPPS.
3. While the opening statement in **paragraph 6.131** says that ‘Planning can safeguard mineral resources and facilitate their responsible use’ – there is no mention of safeguarding "SUPPLY" of minerals anywhere in the SPPS. Although it is cited the Local Development Plans to ‘ensure that local supplies of construction aggregates can be made available for use within the local market area to meet likely future development needs over the plan period.’ How is a Council to interpret and apply this without evidence? The SPPS-Minerals also needs to support the construction products sectors and recognise they supply nation-wide as well as local markets. It does not explicitly state that it safeguards existing, planned and potential sites (this should include ancillary sites for manufacture of coated stone, concrete plants etc... associated with the minerals sector).

The SPPS lacks proactive planning for minerals at regional level. The strategic assessment of supply & demand with analysis of the movement or flow of minerals within Northern Ireland or the extent of export of minerals out of Northern Ireland should be included in the SPPS.

4. **Paragraph 6.132** should plainly read that sustainable development does not prevent the use and employment of natural resources. An enduring successful economy will effectively use natural resources and contribute toward meeting the balance of need for the mineral and protection of the natural environment.

5. We are concerned that the phrases used in **paragraph 6.134** imply that environmental impacts outweigh all other material considerations, including the economic need of the proposal; and that environmental impacts “must be considered first”. Does this mean that environmental impacts should be considered before determining an application or is it implying greater weight should be applied to the environment than other factors? This implied test is incongruous when one considers that there is an environmental impact associated with all development. The sentence “because of their nature, scale, location and duration of operation, mineral developments often impact more severely on the environment than other forms of development so they must be subject to rigorous assessment...”, should be removed from the document. We would question and ask

"What evidence do the Department have that mineral developments impact more severely on the environment than other forms of development so they must be subject to rigorous standards"?

Is mineral development subject to rigorous standards over and above those standards employed by the Department when determining planning applications for waste management sites, wind farms, out of town retail proposals, car manufacturing sites, power stations and/or large housing development schemes (this list is not exhaustive)? If so why?

The phrases used in 6.134 ‘common minerals’ and ‘there may be a choice of site’ without the context of the geology, quality, quantity, type, locality of minerals leaves it wide-open for Councils to make their own interpretation of what is common or a best choice of site. This could promote NIMBYism. The NI Mineral Resources Map should be referenced. Also, there is no mention of the ‘evidence required’ to support a Planning-led System for Minerals or ensuring the Sustainable Supply of Minerals. There is still that gap in Northern Ireland of not knowing what Permitted Mineral Reserves it currently has, or for forecasting demands. How will the new Local Governments interpret and apply this?

6. **Para 6.135** – We would request the removal of the term "recycled building rubble" and would propose it is replaced with the term "recycled and secondary materials". The SPPS needs to also reflect the limited supply of recycled and secondary construction materials particularly in more rural Council areas due to the limited re-development opportunities. Councils need to also recognise that transporting recycled aggregates long distances from urban areas such as Belfast and L Derry will

create additional cost and increase environmental impact. This once again illustrates the need for a carefully managed and joined up approach for mineral and aggregates planning.

7. With regards to Local Development Plans, the conclusions from the PAC enquiries into the required evidence, justification and designation of Areas of Constraint on Minerals Development should be incorporated into bullet point 3 that reads 'identify areas which....' to ensure a sustainable approach.

Alternatively, we would support Local Development Plans that positively plans where there is a general presumption in favour for mineral development rather than against? Support a plan-led system etc.

8. In **paragraph 6.136** we would welcome clarification as what is meant by over exploitation. As mentioned above how can the Department define over exploitation without baseline information on resources and supply and demand data? Has the Department determined what NI requirement is for minerals in the future and for our important export market?

9. We are content that the policy objectives for minerals are sensible but would recommend that recognition and good practice is taken from other Regions of the UK in informing local development plans and that the necessary balance between the environmental protection and economic necessity is made.

10. In **paragraph 6.138** we would question the use of language in the 3rd bullet point. Current planning policy across the UK recognises and states clearly the fact that minerals can only be extracted where the geology dictates and that many ANOBs and areas of high scenic value contain reserves of important minerals. We would highlight the fact that most of the English mineral development is in the peak district National Park that is clearly an ANOB. We would strongly argue against any policy that would introduce a prejudicial constraint on mineral development in ANOBs. If such a policy was introduced it could sterilise over 350,000 of countryside and remove a large proportion of Northern Irelands sand and gravel reserves.

**We adamantly oppose the introduction of Areas of Constraint within AONB's.**

11. **Para 6.141** should be two-way; applications for development should have particular regard to the proximity to mineral workings as well. While the Local Development Plan mentions safeguarding against sterilisation, it should also consider safeguarding the close proximity of development to mineral workings/resources.

12. **Para 6.144** – we would suggest including ‘satisfactory restoration and aftercare proposals’. The restoration proposal is dependent on the design of the quarry site. DOE SPD planners are not competent to ascertain whether the quarry design (as denoted on paper) is actually feasible (on the ground). Capacity building is required so that planning officers, and/or health and safety officers who enforce the Quarry Regulations, can examine the design to ascertain whether or not it is workable. Competency is required to understand where materials such as overburden is to be stored, what materials are being re-used as part of the restoration and whether the quarry will result in a wet or dry restoration concept.

13. In terms of Managing Noise we would refer to our previous comments under the section covering Noise.

## **Conclusions**

In terms of Minerals the SPPS is pointless without a complete strategic review of minerals policy for Northern Ireland. It is not in anyone’s interest to have a minerals planning system that is dysfunctional, but unfortunately that is what we have at present. We urgently require capacity building to replace the undoubted experienced, confident and skilled staff lost by the Department, including NIEA, over the past number of years and who have never been replaced. We would strongly recommend the use of experienced and highly skilled mineral planners from the private sector to do this. QPANI, as the recognised trade organisation of the quarry and minerals industry, are willing to do all we can to assist in developing a minerals policy that delivers for the economy and helps enhance biodiversity and protect our environment.