

Data Protection Officer
Mid and East Antrim Borough Council
The Braid
1-29 Bridge Street
Ballymena
BT43 5EJ

Section B. Your Details

Q1. Are you responding as individual, as an organisation or as an agent acting on behalf of individual, group or organisation? (Required)

Please only tick one

- ☐ Individual (Please fill in the remaining questions in the section, then proceed to Section F.)
- ☐ Organisation (Please fill in the remaining questions in the section, then proceed to Section D.)
- ☐ Agent (Please fill in the remaining questions in the section, then proceed to Section E.)

Q2. What is your name?

Title

First Name (Required)

Last Name (Required)

Email

Q3. Did you respond to the previous Preferred Options Paper?

- ☒ Yes ☐ No ☐ Unsure

Section C. Individuals

Address Line 1 (Required)

Line 2

Line 3

Town **(Required)**

Postcode **(Required)**

Section D. Organisation

If you have selected that you are responding as an organisation, there are a number of details that we are legally required to obtain from you.

If you are responding on behalf of a group or organisation, please complete this section, then proceed to Section F.

Organisation / Group Name **(Required)**

Your Job Title / Position **(Required)**

Organisation / Group Address (if different from above)

Address Line 1 **(Required)**

Line 2

Line 3

Town **(Required)**

Postcode **(Required)**

Section E. Agents

If you have selected that you are responding on behalf of another individual, organisation or group there are a number of details that we are legally required to obtain from you.

Please provide details of the individual, organisation or group that you are representing.

FP McCann; Northstone NI Ltdl;Kilwaughter Minerals; Omya UK Ltd; Robinsions Quarrymasters

Client Contact Details

Title

See schedule in representation

First Name **(Required)**

See schedule in representation

Last Name **(Required)**

See schedule in representation

Address Line 1 **(Required)**

See schedule in representation

Line 2

Line 3

Town **(Required)**

See schedule in representation

Postcode **(Required)**

See schedule in representation

Q4. Would you like us to contact you, your client or both in relation to this response or future consultations on the LDP?

Please only select one.

☒

Agent

☐

Client

☐

Both

Section F. Soundness

The draft Plan Strategy will be examined at Independent Examination in regard to its soundness. Accordingly, your responses should be based on soundness and directed at specific strategic policies or proposals that you consider to be unsound, along with your reasons. The tests of soundness are set out below in Section M.

Those wishing to make representations seeking to change the draft Plan Strategy should clearly state why they consider the document to be **unsound** having regard to the **soundness tests** in Section M. It is very important that when you are submitting your representation that your response reflects the most appropriate soundness test(s) which you believe the draft Plan Strategy fails to meet. There will be no further opportunity to submit information once the consultation period has closed unless the Independent Examiner requests it.

Those who make a representation seeking to change the draft Plan Strategy should also state whether they wish to be heard orally.

Section J. Type of Procedure

Q5. Please indicate if you would like your representation to be dealt with by:
(Required)

Please select one item only

- ☐ Written (Choose this procedure to have your representation considered in written form only)
- ☒ Oral Hearing (Choose this procedure to present your representation orally at the public hearing)

Unless you specifically request a hearing, the Independent Examiner will proceed on the basis that you are content to have your representation considered in written form only. Please note that the Independent Examiner will be expected to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

Section K. Is the draft Plan Strategy Sound?

Your comments should be set out in full. This will assist the Independent Examiner understand the issues you raise. You will only be able to submit further additional information if the Independent Examiner invites you to do so.

Sound

If you consider the Plan Strategy to be Sound and wish to support the Plan Strategy, please set out your comments below.

(Required)

Section L. Unsound

In this section we will be asking you to specify which part(s) of the draft Plan Strategy you consider to be unsound.

Note: If you wish to inform us that more than one part of the draft Plan Strategy is unsound each part should be listed separately. Complete this page in relation to one part of the draft Plan Strategy only.

Q6. If you consider that the draft Plan Strategy is unsound and does not meet one or more of the tests of soundness below, you must indicate which test(s) you consider it does not meet, having regard to Development Plan Practice Note 6 available at:

https://www.planningni.gov.uk/index/news/dfi_planning_news/news_releases_2015_onwards/development_plan_practice_note_06_soundness_version_2_may_2017.pdf

Please note if you do not identify a test(s) your comments may not be considered by the Independent Examiner.

Continued on next page.

Section M. Tests of Soundness (Required)

Procedural tests

- ☐ P1. Has the plan been prepared in accordance with the Council's timetable and the Statement of Community Involvement?
- ☐ P2. Has the Council prepared its Preferred Options Paper and taken into account any representations made?
- ☒ P3. Has the plan been subject to Sustainability Appraisal including Strategic Environmental Assessment?
- ☐ P4. Did the Council comply with the regulations on the form and content of its plan and on the procedure for preparing the plan?

Consistency tests

- ☐ C1. Did the Council take account of the Regional Development Strategy?
- ☐ C2. Did the Council take account of its Community Plan?
- ☐ C3. Did the Council take account of policy and guidance issued by the Department?

Coherence and effectiveness tests

- ☒ CE1. The plan sets out a coherent strategy from which its policies and allocations logically flow and where cross boundary issues are relevant is it in conflict with the plans of neighbouring Councils.
- ☒ CE2. The strategy, policies and allocations are realistic and appropriate having considered the relevant alternatives and are founded on a robust evidence base.
- ☐ CE3. There are clear mechanisms for implementation and monitoring.
- ☐ CE4. The plan is reasonably flexible to enable it to deal with changing circumstances.

Section N. Which part(s) of the draft Plan Strategy are you commenting on?

This should relate to only one section, paragraph or policy of the draft Plan Strategy. If you wish to inform us that you consider more than one part of the draft Plan Strategy is unsound, you can submit further representations by completing and submitting additional copies of this section.

Relevant Policy number(s)

See accompanying Representation

(and/or)

Relevant Paragraph number(s)

See accompanying Representation

(and/or)

District Proposals Map

See accompanying Representation

Please give full details of why you consider the draft Plan Strategy to be unsound having regard to the tests(s) you have identified above. Please be as clear and concise as possible.

See accompanying Representation

If you consider the draft Plan Strategy to be unsound, please provide details of what changes(s) you consider necessary to make the draft Plan Strategy sound.

See accompanying Representation



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Mid and East Antrim Borough Council

**Local Development Plan 2030
Draft Plan Strategy**

Representation made on behalf of:

**FP McCann
Kilwaughter Minerals Ltd
Northstone NI Ltd
Omya UK Ltd
Robinsons Quarry Masters Ltd**

**DECEMBER 2019
by Quarryplan Ltd**





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1.0 EXECUTIVE SUMMARY

These representations have been prepared by Quarryplan Limited on behalf of the Companies (our Clients) listed in Section 2 of this submission.

A summary of the main comments on the DPS are outlined below:

- i. The evidence upon which the DPS is based is not robust, the evidential base upon which the Council rely fails to identify and understand the value of the Minerals Industry to the local and regional economy and is therefore unsound;
- ii. The proposed approach of designating ACMD's in line with legacy designations set out in the Larne Area Plan 2010 is considered to be unsound as the designations were poorly evidenced at the time of the original imposition. Insufficient improvement of the evidence which provides for the continued use of the previous designation is being relied upon;
- iii. The draft Policy wording is ambiguous. The proposed policy wording does not allow for the presumption in favour of sustainable mineral development outside of ACMD's/SCA's envisaged in the remainder of the DPS and supporting technical information;
- iv. The scope of after use as detailed within the Restoration Policy is considered too narrow and does not allow for other sustainable development opportunities peculiar to previous mineral workings to be realised;
- v. The Council has failed to utilise discretionary powers to identify areas as suitable for mineral development, despite resources in the district being of regional importance;

- vi. The DPS fails to identify buffers around existing extraction sites where development will be resisted which has the potential to impact on mineral development and conversely the potential to impact upon potential new receptors;
- vii. Inadequate SA/SEA which is based upon a flawed and erroneous evidence base;
- viii. The SA fails to consider all reasonable alternatives;
- ix. The Council's failure to consider and promote a draft policy with respect to secondary aggregate use within MEA.

2.0 INTRODUCTION

The representations, hereby submitted, have been made by Quarryplan Limited (Quarryplan) on the instruction of its Client Companies (Clients) listed below:

Client:	Operator/ Site Address:
FP McCann	146 Belfast Road, Larne
Kilwaughter Minerals Ltd	9 Starbog Road, Kilwaughter, Larne
Northstone NI Ltd	50 Craigdoo Road, Ballymena
Omya UK Ltd	17 Munie Road, Glenarm
Robinson Quarry Masters Ltd	32 Glenhead Road, Ballymena

The consortium is a mix of independent single site SME's, larger multi-site operators and multi-national quarrying companies who operate within the Mid and East Antrim (MEA) Borough. The consortium represents key stakeholders from the extractive industry within the Borough.

Our Clients, whilst not consisting of all the companies working within the Borough, do account for a significant number of the minerals operators currently operating within MEA. These companies are some of the largest land-based operators, employers and producers of mineral within the Council area and indeed, Northern Ireland.

Our Clients land based mineral operations have been operational prior to the transition of planning powers in April 2015 from the Department to the Councils and are individually recognised within the DPS. Therefore, it is considered that there is no requirement to introduce each mineral development site to the Council.

2.1 The POP Recap

In June 2017, the Council published its Local Development Plan 2030 Preferred Options Paper (POP) for consultation. Quarryplan provided a detailed response to the POP Consultation in September 2017. The key points of the representation were:

- The figures presented by the Council in relation to the contribution that the industry makes to the local economy have been understated;
- As a result of information gaps in the evidence base, the proposed options as set out within the POP are not considered to be appropriately or properly evidenced, therefore, the plan as it stands, is considered to be unsound;
- An additional specific strategic objective is required within the plan which recognises the industry's economic importance, promotes the minerals industry within the Borough and encourages its continued growth;
- The overarching principles identified within the POP need to include provisions in relation to economic development, at present the principles only focus on social and environmental principles and therefore do not accord with the principles of achieving sustainable development;
- Our Clients do not support any of the options presented, instead they favour aspects of all three of the options presented within the POP;
- Our Clients support the implementation of a Minerals Reserve Area and other areas where there will be a presumption in favour of minerals development, however the extent of such an area and the

corresponding development management policy will require clarification;

- The Areas of Constraint on Minerals Development identified in the POP are outdated, poorly evidenced and unduly large in their extents, they are considered to be no longer fit for purpose. These designations should therefore be removed from the Plan;
- Landscape sensitivity should be appropriately and accurately assessed to provide a clear baseline which acknowledges the presence of mineral developments within the Borough; and
- Landbanks should be used as a monitoring tool to provide the Council with early warnings of possible disruption to the provision of an adequate and steady supply of aggregates in the Borough.

2.2 Cognisance of the Quarryplan Representation to the POP

It is encouraging that since the publication of the POP and the subsequent public consultation and consideration of the responses, the Council has endeavoured to apprise its evidence base and the published Draft Plan Strategy (DPS) appears to have taken cognisance of several of the comments provided within the Quarryplan 2017 POP representation.

Matters such as a lack of understanding with regards to the minerals industry, the local economic importance of the minerals industry within the Borough, the supply and demand trends through the region and the impacts upon the local landscape appear to have been the subject of further information gathering, culminating in the publication of technical supplements in September 2019 on a range of matters including minerals development; development pressures and the countryside. Such endeavours are welcomed by our Clients.

Notwithstanding the above, there are a number of concerns with regards to the content of the DPS, particularly in relation to the collation of evidence and the interpretation and the formulation of policy based upon the same. The result of which is that the DPS is considered to fall short of meeting the tests of soundness.

2.3 Documents considered

The representation hereby submitted considers the content of the DPS. Several other documents have also been considered within this representation, namely:

- Sustainability Appraisal (SA) of the Draft Plan Strategy (incorporating Strategic Environmental Assessment) (SEA) Sustainability Appraisal Report;
- Technical Supplement 8 - Minerals Development; and
- Technical Supplement 10 - Countryside Assessment.

2.4 Methodology and Structure of the Representation

This submission is structured to firstly consider the background sections of the DPS, considering the context of the MEA Borough in the region and the key issues facing the Borough. The representation also comments upon the visions and objectives as set out within the DPS.

The representation then considers the evidence base presented by the Council and outlines shortcomings which our Clients believe need to be addressed in order to the LDP to be considered sound.

The mineral and other relevant policies of the plan are then considered in the light of the tests of soundness identified in Development Plan Practice Note 6-Soundness, published by Department for Infrastructure (DFI) in May 2017.

The concluding element of this submission sets out concerns relating to the compliance of the DPS with respect to legislative requirements and outlines areas where our Clients believe further information is required to be considered and where efforts are required in order for the plan to meet the required tests of soundness.

3.0 DRAFT PLAN STRATEGY

3.1 Vision and Strategic Objectives

Section 4.1 of the DPS states that the vision to the LDP is:

“Mid and East Antrim will be shaped by high quality, sustainable and connected places for people to live, work, enjoy, invest and visit, so as to improve the quality of life for all”

Our Clients support this vision and advise that the minerals industry is an important stakeholder in assisting the Council in delivering its vision. In order to deliver the high quality, sustainable and connected places envisaged, minerals are required in order to deliver the physical infrastructure for the same.

The quality of life described in the vision is influenced by the economic prosperity of individuals and communities. As detailed later in this representation the minerals industry within the MEABC area makes a significant contribution, both directly via employment and expenditure and indirectly through the use of local goods and services, investment and the percolation of inward expenditure through the likes of staff wages.

3.2 Economic Objectives

The DPS lists the following economic objectives for the plan:

To provide a sufficient supply and choice of sites for business and employment uses so as to assist in promoting sustainable economic growth in Mid and East Antrim and in meeting the locational needs of particular sectors, including new and emerging sectors;

Minerals development has a special characteristic in that minerals can only be worked where they naturally occur. It is therefore important that suitable sites can be identified and safeguarded within the plan so as the economic benefits associated with their extraction can be realised. Our Clients support the Council's stated objective of meeting the locational needs of particular sectors, which for the reasons set out in this representation, is considered wholly appropriate to the minerals industry.

Economic Objective C, as stated in the DPS is:

"To protect strategically important transportation assets and routes (including disused transport routes) and, where possible, to facilitate enhanced connectivity within Mid and East Antrim and between the Borough and other centres".

The council are advised that in order to achieve this objective, a steady and consistent supply of mineral is required in order to generate the physical infrastructure (e.g. asphalt, concrete kerbing, draining infrastructure) necessary for delivering improved transportation links.

Economic Objective E, as stated in the DPS is:

"To facilitate sustainable economic development in the countryside, provided it is suitably located and is of an appropriate nature and scale for the rural context".

The minerals industry is a key rural economic driver and our Clients support the Council's objective of support such sustainable economic development within the countryside.

Findings recently published by the University of Ulster¹ have identified that the Geoscience Industry within Northern Ireland (which includes mineral extraction and the production of goods from minerals) directly accounts for a total of 34,000 jobs (4.6% share of NI's total employment), aGVA (output) of £2.1 billion (5.8% share of total NI GVA) and 6,150 businesses (8.6% share of the total). In terms of NI equivalents, the employment numbers are similar to the Agriculture sector and the knowledge economy

Given that the employment numbers are similar to agriculture, it is clear that the winning and working of minerals plays a key economic role in the region, including within the MEA Borough.

3.3 Social Objectives

The DPS lists the following social objectives for the plan:

Social Objective B is:

“To support rural communities by providing appropriate opportunities for sustainable development in the countryside”.

As described above, the Geoscience sector provides employment in Northern Ireland at rates similar to the Agricultural Sector. In addition to providing direct rural employment, the mineral industry provides rural economic and investment opportunities with operators often utilising local services and generating alternative expenditure in the local area. Our Clients therefore support the objective.

“To provide a sufficient supply of land for new mixed tenure housing in convenient locations to meet the anticipated housing need of around 7,500

¹ Economic Impact of the Geoscience Industry on the Northern Ireland Economy, University of Ulster Economic Policy Centre, March 2019

dwellings for the period 2012 to 2030, including any identified special housing needs”.

The British Geological Survey² calculates each new house built in England requires 60 tonnes of aggregates. If all roads and utilities associated with housebuilding are included, the requirement can increase to as much as 400 tonnes of Aggregates. Whilst no figure is published for Northern Ireland, the requirement is considered to be similar. Achieving a steady and consistent supply of mineral is therefore of vital importance in meeting the above objective.

It can be deduced from these figures that if you take a pragmatic approach to supply, then there is a requirement for some 3 million tonnes of material for the Borough’s target for housebuilding alone. In order to achieve the desired objective, the Council should have confidence that sufficient planned resources are available throughout the Borough to meet demand.

3.4 Environmental Objectives

The DPS lists the following environmental objectives for the plan:

Environmental Objective A is:

“To protect, conserve and where possible, enhance environmental quality, biodiversity, and the natural processes underpinning the delivery of ecosystem services in Mid and East Antrim”.

Our Clients understand and appreciate the need for the environmental objectives as set out in the Council’s DPS and are committed to ensuring quality design, suitable restoration and biodiversity prospects at each of their extraction sites. However, the biodiversity opportunities must be considered

² The need for indigenous aggregates Production in England, Open Report OR/08/026, British Geological Survey, 2008

by the Council, and emphasis needs to be expressed within the DPS, that consideration of these elements must be weighted rationally and proportionately to the projects as submitted.

Each of our Clients have promoted biodiversity opportunities, as part of contemporary planning permissions and projects, at their existing extraction sites. However, these opportunities as concepts have not always been afforded rational and proportionate consideration by the consultees; leading to delay in the decision-making process. The DPS should provide more certainty for the public, the minerals industry and the Council's planners in terms of balancing the economic, mitigation and need for the mineral; helping to move the planning system away from the de facto consultee led system of the recent past.

Environmental Objective G is:

“To contribute towards climate change mitigation and adaptation measures, where practicable through the planning system”.

Projects have been granted planning permission and consideration has been given to climate change through renewable energy projects, handling overburden and extraction waste to reduce 'double handling' and internal transport requirements

Environmental Objective H is:

“To promote and facilitate the use of energy, water and drainage, and mineral resources in an efficient and sustainable manner and to support initiatives for the reduction and recycling of waste”.

Our Clients welcome the fact that the efficient and sustainable use of mineral resources is listed as an objective of the plan. Each of the Companies, represented herein, acknowledge that they have a duty to maximise their finite

resources and assess the impact of their proposals; whilst providing a sustained business model, providing future for growth and continuing to underpin the economy of MEA and Northern Ireland.

3.5 **Spatial Growth Strategy**

The DPS describes how the Spatial Growth Strategy and the Settlement Hierarchy will set the broad parameters for the distribution of housing, economic development and retail growth through the Borough over the plan period.

Policy SGS3 states that the DPS will make provision for 4,256 dwellings within the settlements identified in the settlement hierarchy for the period 2018-2030 and 350-400 new dwellings in the countryside over the same period.

In terms of the proposed supply of housing within settlements, as described above, the British Geological Survey calculates that each new house built in England requires 60 tonnes of aggregates. If all roads and utilities associated with housebuilding are included, the requirement can increase to as much as 400 tonnes of Aggregates. In order to deliver a sustainable development strategy, utilisation of aggregates derived from within the MEA is considered beneficial, in order to avoid the haulage of the same over greater distances and the associated environmental impacts such as increased fuel consumption and emissions.

Given the nature of mineral development, it has the potential to conflict with residential land uses, resulting in impacts upon amenity. In order to reduce the likelihood of such impacts, it is recommended that “buffer zones” be established around existing quarry sites, within which, residential development will be resisted, in order to protect the amenity of future inhabitants and to allow for the continued operation of the quarry without causing potential undue harm to adjacent sensitive land uses.

3.6 Countryside Strategy

The DPS describes how the open countryside is home to some 22% of the population of the Borough and is an important location for a number of economic activities, mainly in the agricultural, tourism, renewable energy and minerals sectors.

Policy CS2 designates Special Countryside Areas *“in order to protect the exceptional landscape, unique amenity value and the environmental assets associated with the natural and historic environment of these areas”*.

The policy states that within all the SCA’s there will be a presumption against all new development other than in exceptional circumstances. It is noted that no provision is made within the policy with regards to minerals development within the proposed SCA’s.

Minerals development is restricted in that it can only occur where the mineral is found. The Borough is home to Northern Ireland’s most significant outcrop of the industrial grade Ulster White Limestone Deposit. The MEA Borough is the only area within Northern Ireland where mineral is worked for industrial end uses. As a result, the limestone production within the Borough is regionally significant and therefore it should be appropriately acknowledged and assessed with regards to the proposed policy.

BGS Mineral Mapping shows that much of the mineral coincides with the proposed SCA designation. Further consideration should be given to the Policy to reflect the unique nature of the Ulster White Limestone (‘UWL’) resource. Given the mineral’s regional significance, consideration of the impacts that the designations could have upon the mineral and the future prospects of working the same are required to be assessed within the SA/SEA. No such assessment appears to have been undertaken. The economic impacts of the designation require further consideration within the SA/SEA.

Given the regional importance of the mineral deposit it is our Clients view that making no provision for the extraction of mineral within the policy does not offer a sustainable approach to development. No assessment of an alternative approach whereby the policy would allow for the sustainable exploitation of the Ulster White Limestone mineral, which does not affect the overall landscape, amenity value or environmental assets of the area has been undertaken as part of the SA/SEA process.

Whilst the SA states that “*The policy would be able to protect earth science sites - designated and non-designated*”. No evidence is provided as to what impact it would have upon the regionally significant Ulster White Limestone Formation.

Given the paucity of information with regards to the potential impacts upon the regionally significant mineral and the failure to consider the sustainable extraction of the same as an alternative, the SA/SEA is considered inaccurate and the policy therefore rendered **unsound**.

Policy CS5 of the DPS relates to the Antrim Coast and Glens Area of Outstanding Natural Beauty (AONB). The policy states that development proposals within the AONB or its setting, will only be permitted if there is no adverse individual or cumulative impact on its exceptional landscape quality, distinctive character, heritage and wildlife, which would prejudice its overall integrity.

As discussed later in this document, the policy is considered to be sufficient in assessing proposals for minerals development and ensuring the protection of the designation. The addition of a duplicitous layer of protection, specifically constraining minerals development is not considered to be a sustainable approach to plan-making, favouring environmental protection over and above economic benefits, rather than taking a balanced approach whereby minerals

development could be acceptable in the AONB subject to compliance with the AONB policy.

Policy CS7 relates to Local Landscape Policy Areas (LLPA's). The policy states that development within LLPA's will only be acceptable where it does not have a significant adverse impact on their intrinsic environmental value and character, landscape quality or amenity value.

The supporting justification/ amplification describes how LLPA's are often designated to protect those areas within or adjoining settlements which are considered to be of greatest amenity value, landscape quality or local significance. Development pressures are often greatest in such areas, with potential for harmful impacts through inappropriate development.

Given the above, any future designations of LLPA's should not conflict with the existing mineral extraction sites where the landscape has already been affected by workings. It is recommended that any future designations should avoid existing and proposed minerals development sites and their environs.

4.0 EVIDENCE BASE

It is acknowledged and welcomed that following the POP Consultation in Summer 2017, the Council has endeavoured to improve the evidence base with respect to the supply and demand for minerals.

It is noted that mineral operators, when contacted have not always been forthcoming with information and this is considered to be a result of ignorance as to the importance of the information requested, to the plan making process. However, as identified in Quarryplan's previous representation, the figures published within the POP have raised questions as to the Council's understanding of the minerals and manufacturing sector within the district. It is disappointing to see that the inaccuracies previously highlighted continue to be referenced in the DPS.

Our Clients therefore still have concerns in relation to the collation of evidence; interpretation and the formulation of policy based upon the same.

4.1 Technical Supplement 8- Minerals Development

A Technical supplement has been published alongside the DPS in September 2019. The technical supplement brings together the evidence base that has been used to inform the preparation of the DPS. It is one of a suite of topic based technical supplements prepared to improve the understanding, the rationale and justification for the policies proposed within the DPS.

This technical supplement builds upon and updates LDP Position Paper 12 which provides baseline information for Minerals Development and formed part of the evidence base for the POP. This paper was discussed at length in Quarryplan's previous submission and therefore is not repeated here.

The supplement provides an overview of the regional and local policy context and describes how the evidence base has been considered in the formulation of policies MIN1 – MIN8 of the DPS.

4.1.1 Existing Planning Policy

Section 2 of the supplement provides an overview of the existing local and regional planning policy context. Of particular note is Section 2.3 which assesses policies contained within the Strategic Planning Policy Statement (SPPS). The section makes reference to provision within the SPPS which states that:

“The SPPS also suggests that LDPs should, where appropriate, identify areas suitable for minerals development within the plan area. Such areas will normally include areas of mineral reserves where exploitation is likely to have the least environmental and amenity impacts, as well as offering good accessibility to the strategic transport network”.

No justification or indeed, consideration appears to be provided within the supplement as to why such an approach is not proposed within the LDP nor has there been any assessment of an alternative policy approach which would see areas identified as suitable for minerals development within the SA/SEA.

As detailed throughout this representation, the mineral extracted within the Borough is regionally important with the Borough being the largest producer of basalt and igneous rock and the only location in the region where industrial grade limestone is commercially worked. Given the economic importance that the minerals development has within the Borough, such a designation is considered at least worthy of consideration and assessment.

Also noteworthy is the discussion of the Larne Area Plan 2010 (LAP), held at Sections 2.12 to 2.17 of the supplement. Section 2.15 states that:

“Policy MN1 designates Areas of Constraint on Minerals Development (ACMD) within the Plan area comprising of one large area and two smaller areas, all within the Antrim Coast and Glens Area of Outstanding Natural Beauty (AONB). These areas are identified as being the most scenically valuable parts of the AONB within the Plan area and include coastal fringes, the glens, the Garron Plateau and areas of woodland and bogland. The ACMD also includes tracts of land falling within broader areas designated for their natural heritage importance (including Special Protection Areas (SPA), Special Areas of Conservation (SAC) and Areas of Special Scientific Interest (ASSI) designations). The ACMD also includes an Area of Significant Archaeological Interest (ASAI) designated by the Larne Area Plan at Knockdhu (Policy MAN EN1). The limestone quarry at Munie Road, Glenarm is the only working quarry within the ACMD. The Plan states that there will not be a presumption against further extension of this quarry but any proposal for its further development will be expected to give full recognition to the landscape sensitivity of the coast and glens and will only be permitted if the Department is satisfied that the landscape will not be adversely affected to any substantial degree”.

It is considered that the approach being presented by the Council is similar to that which was presented by the Department in its draft Magherafelt Area Plan 2015; that is to say that areas proposed as AMCDs are being designated irrespective of site circumstances, on unreliable and obsolete criteria and without the benefit of tangible economic (need) considerations. In common with the draft Magherafelt Area Plan 2015, the areas considered for designation by the Council contain widespread mineral deposits; including minerals which the Council has recognised as being regionally important (e.g. Basalt and Ulster White Limestone).

As previously concluded by the Commission, following the examination in public into the draft Magherafelt Area Plan, “such an approach does not

suggest that adequate consideration has been given to balancing economic and environmental considerations³”.

As discussed later in this document, the existing ACMD's within the legacy LAP are considered to be outdated and poorly evidenced.

It is acknowledged that a Landscape Character Assessment has been undertaken with regards to reviewing the existing Local Landscape Character Areas. The assessment includes a brief review of the sensitivity of the landscapes to minerals developments and provides planning guidelines based upon the same.

The boundaries of the LLPA's do not correspond with either the AONB boundary or the proposed ACMD boundaries. Without detailed 'Landscape Capacity' and 'Sensitivity' studies specifically for minerals development within the proposed ACMD designations, coupled with fundamental qualitative and quantitative understanding of supply and demand specific to mineral development, the proposed retention of the ACMD designation (for all intents and purposes) will fall on similar grounds as held in the Magherafelt Area Plan 2015 Examination in Public or Seaport Investments⁴.

4.1.2 Importance of Minerals to the NI Economy

Section 3 of the supplement provides detail on the economic importance of the mineral industry in the Borough and the wider region. The supplement references the Department for Economy (DfE) 2017 Annual Mineral (AMS) Statement, providing detail as set out Table 4.1 below:

³ PAC January 2011 paragraph 22.11

⁴ Seaport Investments Limited [2007] NIQB 62 – adequacy of the SEA.

MINERAL PRODUCTION MID & EAST ANTRIM 2017			
	Quantity Produced (Tonnes)	Value	Council ranking
Basalt & Igneous Rock (other than Granite)	997,087	£4.59 million	1 st out of 8 listed (Quantity & Value)
Limestone (Combined with Armagh, Banbridge and Craigavon Borough Council)	340,513	£3.88 million	3 rd out of 3 listed (Quantity) 1 st out of 3 listed (Value)
Other ³	534,047	£6.62 million	1 st out of 7 listed (Quantity and Value)

Table 4.1: Mineral Production in Mid and East Antrim, DfE Annual Mineral Statement, 2017

Caution should be exercised when using the AMS. The term “value” is used several times within the Mineral Returns Form (A copy of the form is provided at **Appendix 1**). Question 2 of the form asks the operator to give an average value per tonne before tax, levy, transportation costs and profitability (i.e. the production cost). Question 5 of the form asks for the value of aggregate or other value-added product which has been exported whilst question 6 asks for the value of an aggregate or other product which has been sold in the last year within each Council district.

The values provided by operators in the answers to Question 2 will vary dramatically to the answers to Questions 5 and 6. For example, the production value will be a relatively low figure, compared with a value-added figure which will be higher as the mineral will have been worked in order to produce a more valuable product.

Due to the ambiguity of the term “value” within the DfE Statement, reliance upon such a statement is of limited importance or significance when accurately assessing the true “value” of the minerals industry within the district.

The previous POP response detailed how reliance cannot be made upon the AMS and that value-added processes which significantly affect the turnover of operators is not captured within the figures presented.

By way of an example, Kilwaughter, as one of the listed operators and currently has over 150 employees and the annual wage bill exceeds the combined Limestone Value as presented in Column 2 of Table 4.1 above. This highlights how these figures cannot be solely relied upon as wages have to be paid from turnover generated by sales of the mineral.

To assist the Council, the POP response provided contextual information with regards to our Client companies turnover and employment to highlight the significant difference in the economic importance of the industry presented within the paper and the 'real' economic impact, which is significantly greater.

It is noted that at Sections 3.9 of the supplement that some of the information provided within the POP response has been utilised with reference made to the associated employment outside of quarrying, (e.g. concrete production) which has strengthened the manufacturing base within MEA, where the Sector now accounts for 21% of all jobs in the Borough. Section 3.10 also builds upon the concept that after processing, the value of mineral increases dramatically.

However it is discouraging that the evidence and overview of the industry provided within the POP appears to have been largely ignored within DPS and technical supplement with both the technical supplement and DPS still referring to the AMR values with no contextualisation or reference made to the true value of the industry.

It is considered that the Council needs to undertake a thorough evidence gathering and assessment exercise which allows it to accurately identify the value of the minerals industry (including employment, taxation and the value

of any related manufacturing business) rather than relying upon evidence which is ambiguous and can clearly be demonstrated to be inaccurate.

4.1.3 Basalt Resources

Section 3.11 of the supplement describes how:

“According to the DfE Annual Mineral Statement 2017 Mid and East Antrim Borough Council produces 31% of all the reported basalt and igneous rock (excluding granite) in Northern Ireland, which makes it the largest producer out of all Council areas. There was 997,087 tonnes produced with a value of £4.59 million. Within Mid and East Antrim Borough Council there was an average of 850,227 tonnes of basalt and igneous rock (excluding granite) produced with an average annual value of £3.83 million between 2012 and 2017”.

It is again highlighted that the figures above **only present the production cost of the mineral. This is not the value of the product. The value, in this context, is what the mineral sells for** and certainly does not reflect the additional value-added economic benefits generated as a result of the processing of the mineral.

4.1.4 Limestone Resources

Section 3.13 of the supplement acknowledges the value-added economic benefits generated as a result of the processing of the mineral stating that:

“the quality of the limestone and the added value stemming from limestone production in Mid and East Antrim Borough Council is significantly greater than in some areas where more tonnage is extracted. This can also be attributed to the added value accrued through processing”.

Whilst the economic benefits associated with the value-added processing has been recognised no quantification of the same is identified within the supplement or the DPS. It is recommended that the Council undertake further evidence gathering in order to fully understand the economic benefits associated with the extraction of the mineral in the Borough, in order to allow it to plan accordingly over the plan period.

4.1.5 Draft Plan Strategy Approach

Section 6.1 of the technical supplement states that:

“Mineral extraction for aggregates, largely basalt and limestone, is an indigenous industry within Mid and East Antrim Borough, which along with salt extraction, makes an important contribution to the local economy”.

As described above, whilst our Clients agree with the conclusion that the minerals industry makes an important contribution to the local MEA economy, the true value it makes has been grossly undervalued within the DPS and supporting technical supplement. We would therefore encourage the Council to re-engage with the limited number of companies operating within the Borough and improve its evidence base with regards to the matter in order to fully inform the SEA and the policies of the LDP. Quarryplan will endeavour to facilitate a timely and accurate response from all our Clients listed.

The supplement goes on to state that:

“...there will be a need to ensure that supplies of raw materials are provided in pace with any economic growth that occurs in the Council area and other parts of Northern Ireland and potentially beyond”.

Our Clients agree that minerals will be required in order to keep pace with regional economic growth. Duplicitous policies, unduly large restrictive designations and other policies which give significant weight to environmental

impacts above the economic benefits generated by minerals development would restrict the ability of the minerals industry to meet the identified need.

Our Clients welcome the fact that the technical supplement sets out how

“...subject to environmental, amenity, safety and other relevant considerations; the LDP should aim to accommodate any necessary expansion of existing quarries, where sufficient information is provided by the operator and then considered in the context of a wider evidence base”

It is disappointing that this approach does not appear to have been reflected within the policies set out within the DPS which seeks to retain the extent of the existing ACMD and the wording of the proposed policy presents no presumption in favour of accommodating mineral development.

The supplement sets out how there is relatively little conflict with regards to the majority of existing mineral development sites and mineral resources being located outside of the AONB and nature conservation designations and concludes that to date there has been no identified need for new workings.

Our Clients disagree with this statement, as stated in the POP response, a number of operators have identified the potential need to expand or invest in new mineral workings, subject to gaining planning permission and acquiring the relevant land. On the back of a national, regional and local drive to boost job creation, increase housebuilding and improve infrastructure, the industry is ambitious in terms of its future plans. It is disappointing that this does not appear to have been reflected in the DPs and that the technical supplements states that there is no need for new workings.

The supplement goes on to state that:

“the draft Plan Strategy will seek to ensure that a fit for purpose planning policy framework is brought forward for the assessment of minerals development proposals on a case by case basis”.

The approach suggested above is not considered to be conducive to consistent decision making. A fit for purpose planning framework would provide a clear direction in guiding the location of development within the district and would provide clear policies against which planning application for development may be determined against. As stated at Section 5.4 of this document, the proposed policy wording is ambiguous and is unclear as to the approach to be taken when determining planning proposals for minerals development.

With regards to designations within the LDP, the supplement describes how:

“The case for introducing Mineral Reserve Areas and designating additional Areas of Constraint on Mineral Development will be reassessed at Plan Review stage, when it is anticipated that the necessary evidence base will be in place”.

Our Clients view is that the proposal within the DPS to continue to adopt the existing ACMD designation (for all intents and purposes) is flawed, with the legacy designations poorly evidenced, with no evidence available as to their success in ‘protecting’ the landscape from minerals development.

No evidence is provided as to why the designated area is particularly sensitive to minerals development and not any other development typologies. It is noted that a Countryside Assessment has been prepared by the Council within which it considers the landscape pressures which have been generated as a result of residential and renewable energy developments but no specific assessment of minerals development.

It may also be the case that the designation has done little to protect the landscape and other policies within the plan able to sufficiently protect the landscape from potential adverse effects which may be resultant from minerals development.

It is therefore suggested that the case for retaining the current ACMD is similarly held in abeyance until an appropriate level of evidence is available in line with the potential for imposition of MRA's.

4.2 Soundness

Table 7.1 of the technical supplement outlines how the Council considers the policies within the DPS to meet the various tests of soundness. In reviewing the test of soundness, the evaluation against test CE2 states:

*“The minerals development policies and land instability and coastal erosion policy are based on the best available evidence, including consultation with DfE/GSNI and stakeholders within the sector. However, Section 6.0 of this document refers to the lack of evidence in regard to regional supply and demand factors at this time. Accordingly, Policy MIN4 (Areas of Constraint on Mineral Development) is based largely on these designations as defined in the Larne Area Plan 2010. **There is a commitment to review ACMDs and to consider the designation of Mineral Reserve Areas, when sufficiently robust information is made available**”.*

As described above, if it is considered that there is insufficient information available in order to designation MRA's, for the reasons set out above, there is also not considered to be sufficient evidence upon which to base ACMD's.

Our Client's view is that the development policies have not been based upon the best available evidence. The legacy ACMD designations from the LAP are considered to have been poorly evidenced at the time of the original imposition. Insufficient improvement of the evidence which provides for the

continued use of the previous designation is being relied upon. As described above, the reliance upon information provided by DfE is considered flawed as it does not give a full picture of the true economic contribution brought about via the winning and working of minerals, particularly in relation to the value-added processes associated with the working of the mineral.

It is acknowledged that there is a lack of evidence in regard to regional supply and demand factors at this time and until such a time that a suitable evidence base can be prepared, designating ACMD's or MRA's at this stage would fail to be based on a robust evidence base.

Whilst the supplement states that there is a commitment to review ACMD's, no such commitment is evident within any of the draft policies of the DPS. The policies seek simply to designate ACMD's in areas to match those in the legacy LAP and determine planning applications in terms of their accordance with the details listed in the policy . No commitment is made to reviewing the existing ACMD's or their effectiveness within any of the proposed policies. Therefore it is considered that there is an imbalance in favour of protectionism, rather than a balanced approach, as set out in regional policy.

5.0 MINERALS

5.1 Introduction

Section 7.4 of the DPS relates to minerals development. The introduction to the section describes how minerals are important natural resource and that an adequate and available supply of minerals is needed to support the Northern Ireland economy. Our Clients welcome this contextualisation.

Paragraph 7.4.2 states that:

“There are nine active quarries in Mid and East Antrim. In 2017 the output from the minerals sector in Mid and East Antrim was valued at approximately £15.1m.”

This figure is understood to be taken from the DfE AMS. As described earlier in this representation, the term ‘value’ in the Statement refers to the production cost for the mineral. The forms used to prepare the statement, which the DfE asks mineral operators to complete, asks the operator to give an average value per tonne before tax, levy, transportation costs and profitability (i.e. the production cost). This ‘value’ figure also does not include the value-added products for which the mineral is required for the manufacture of. For example, the production value will be a relatively low figure, compared with a value-added figure which will be higher as the mineral will have been worked in order to produce a more valuable product.

Due to the ambiguity of the term “value” within the DfE Statement, reliance upon such a statement is of limited importance or significance when accurately assessing the true “value” of the minerals industry within the Borough.

We would therefore encourage the Council to re-engage with the limited number of companies operating within the Borough and improve its evidence base with regards to the matter in order to fully inform the SEA and the policies of the LDP. Quarryplan will endeavour to facilitate a timely and accurate response from all our Clients listed.

It is considered that the Council needs to undertake a thorough evidence gathering and assessment exercise which allows it to accurately identify the value of the minerals industry (including employment, taxation and the value of any related manufacturing business) rather than relying upon evidence which is ambiguous and can clearly be demonstrated to be inaccurate.

The POP representation described how based on data obtained directly by Quarryplan from Clients listed within the POP representation, that the companies provided direct employment to 318 staff at their sites across the Borough.

In terms of wages, our Clients paid a total of £9.95 million per annum to the staff employed at their sites, many of whom are residents within the Borough.

In terms of turnover, in 2016 the operators generated a total combined turnover of some £58.9 million from both the production of industrial minerals,

It is discouraging that, whilst evidenced within the previous POP submission, the Council have ostensibly ignored the figures provided and appear to have failed to collect primary evidence prior to the publication of the DPS. salt, aggregates and higher value products where these aggregates are used in the manufacturing processes for other products. The direct economic benefits generated by the industry were therefore evident, as was the discrepancy between the figures presented within the POP and those provided by Quarryplan.

Based upon the £15.1m “value” figure presented within the DPS, the DPS goes on to state that

“Accordingly, the sustainable exploitation of mineral resources in Mid and East Antrim is vital to maintaining a diverse range of jobs, a supply of construction materials for building projects in the Borough and beyond, and meeting the local and regional need for salt which is primarily used for spreading on roads in winter”.

If such a conclusion is reached based upon a “value” of £15.1m, given that the true “value” of the minerals industry within the Borough is significantly higher, it is questioned as to what extent the proposed policies could further support the minerals industry.

5.2 Policy Aims

The DPS sets out a number of policy aims at Paragraph 7.4.5, all of the aims are considered reasonable in achieving a sustainable approach to minerals development. Our Clients support the stated aims.

5.3 Implementation

Paragraph 7.4.7 states that it is envisaged that the LDP will result in the designation of MRA's to safeguard important resources from development. The DPS states that there may be a need to consider the designation of further MRA's.

Paragraph 7.4.8 states that this approach needs to be informed by a robust evidence base which is currently lacking. The paragraph further describes how a clearer understanding of the supply and demand network is required in order to properly inform the designation of ACMD's and MRA's and that a regional Minerals Forum has been established in order to gather the

necessary evidence base to assess supply and demand. As a result, the DPS states:

“Pending the outcome of this work, Council regards it as premature to proceed with the designation of MRAs or ACMD, much beyond that currently defined in existing Area Plans”.

Our Clients agree that is premature to proceed with the designation of MRAs or ACMD, however it is their view that proceeding with the legacy ACMD’s designations is also unsound, as the designations are based on a poor and outdated evidence base. No contemporary evidence is provided that the existing ACMD’s have protected the landscape from adverse effects associated with minerals development or that the absence of this layer of protection would result in any significant adverse impact on the landscape.

Furthermore, it is noted that whilst a Countryside Assessment has been undertaken with regards to the development pressures generated by renewable energy and residential developments, no such exercise has been undertaken with respect to minerals development.

The DPS continues:

“the draft Plan Strategy seeks to ensure that a fit for purpose planning policy framework is in place for the assessment of proposals on a case by case basis”.

In view of the above and the reliance upon historic, legacy designations, the provisions within the DPS are not considered to be fit for purpose.

Paragraph 7.4.9 states that:

“our understanding from the sector that there is no immediate demand for new quarries in the Council area.”

We would point out that the previous POP representation highlighted that a number of operators would like to expand or invest in new mineral workings, subject to gaining planning permission and acquiring the relevant land. As a result, suitable flexibility should be built in to the LDP policies to allow for the sustainable extraction of mineral via existing and new workings in the future.

5.4 Policy MIN1 Mineral Development

Policy MIN1 states:

“Outside of Special Countryside Areas and Areas of Constraint on Mineral Development, planning permission can be granted for the extraction and/or processing of hard rock and aggregates, when Council is satisfied that the proposal will not have an unacceptable adverse impact upon any of the following interests:

- a) The natural environment, including the conservation of flora and fauna, natural habitats,*
- b) biodiversity and earth science features.*
- c) The water environment, including water quality and natural flow regimes.*
- d) Landscape quality and visual amenity.*
- e) The historic environment.*
- f) Traffic movement and road safety.*
- g) The safety, amenity and wellbeing of people living in proximity to operational sites.*

There will be a presumption against this form of minerals development in Special Countryside Areas and Areas of Constraint on Mineral Development, unless the proposal constitutes an ‘exception’ as specified in the policy for the particular designation.

All proposals must include details relating to the restoration and management of the quarry site in accordance with Policy MIN8.

All proposals must meet the General Policy and accord with other provisions of the LDP”.

Our Clients issues in relation to ACMD’s with regards to the poor evidence base upon which they are based is provided previously and therefore is not repeated here.

The draft policy states that “*planning permission can be granted*”. This policy means there is no obligation to permit development which complies with the policy. The wording is ambiguous and provides a lack of clarity as to how planning applications should be determined and the weight which should be afforded to the compliance with the criteria stated within it.

The wording suggests that a proposed development can accord with the criteria but may still be refused. This is not considered to be a balanced approach to decision making and is considered to lack the conciseness required in order to allow for an appropriate assessment of proposals against the provisions of the policy.

It is noted that within the justification and amplification contained at Paragraph 7.4.11 of the DPS that it states:

“Council will support those proposals that comply with all aspects of the policy”.

Whilst this may be the intention of the policy, the wording as proposed lacks conciseness in stating this.

Notwithstanding our Clients objection to the designation of ACMD’s to reflect the legacy designations within the Borough, it is our Clients view that in order

to make the policy concise, that the wording should be included which explicitly states that there will be a presumption in favour of minerals development outside of designated areas within the Borough. This makes it clear that the principle of development is established outside of these areas, as opposed to the wording currently presented which is ambiguous and provides no clear direction with respect to the acceptability of minerals development outside of designated areas.

With regards to the criteria listed in the policy, our Clients are satisfied that the criteria largely reflect existing regional policy with regards to development. Criterion F does however relate to the safety, amenity and wellbeing of people living in proximity to operational sites. Whilst the safety and amenity of residents is acknowledged it is unclear as to what is meant by the term “wellbeing” and how it may be assessed. Furthermore, there is no evidence provided as to why such a provision is necessary with regards to minerals development. The wellbeing of a person is dependent upon a range of factors, many of which are beyond human control. It is therefore unclear as to how minerals development would specifically impact wellbeing and how it would be tested.

The policy states that there will be a presumption against mineral development unless the proposal constitutes an exception as specified in the policy. This is considered further with respect to each of the specific policies at Sections 3.6 and 5.5.

Paragraph 7.4.15 describes how the Council will use the Landscape Character Assessment (within Technical Supplement 10 Countryside Assessment) to assess the impact of a proposal on local landscape character. The Technical Supplement has been reviewed by Mullin Design Associates and can be found at **Appendix 2**.

The review concludes that it is welcome that within the councils jurisdiction endeavour has been made to update the Landscape Character Baseline

however there needs to be clarity around the sensitivity ratings for each LCA in relation to separate types of development and this needs to be consistent throughout the Development Plan -i.e Either Areas of Constraint are established for each type of development type or Landscape Sensitivity rating are used to guide appropriateness of any type of development in a particular landscape.

Paragraph 7.4.16 states that:

“Whilst there is not a general presumption against mineral development in areas designated for their landscape quality, notably the AONB, Council will exercise a cautious approach within this area”.

Given the cautious approach that is proposed, it is unclear as to why the Council wish to include a further layer of policy protection via the proposed and poorly evidenced legacy ACMD designation. Given that a cautious approach is proposed, no duplicitous designation in the form of an ACMD designation is considered necessary.

5.5 Policy MIN 4- Areas of Constraint on Mineral Development

Policy MIN4 states:

“Areas of Constraint on Mineral Development are identified on the District Proposals Maps.

In Areas of Constraint on Mineral Development there will be a general presumption against the extraction and processing of minerals, other than those considered to be ‘valuable’.

Subject to meeting Policy MIN1, a proposal for mineral development within a designated Area of Constraint on Mineral Development may be granted

planning permission when one or more of the following exceptional circumstances apply:

- a) For minor expansion of an existing mineral working.*
- b) Where the environmental/amenity impacts are not significant.*
- c) Where the mineral is of limited occurrence in Northern Ireland and there is no reasonable alternative source outside the Area of Constraint on Mineral Development.*

In all such cases on-site processing of excavated material is unlikely to be permitted”.

As stated throughout this document, the legacy designations set out in the Larne Area Plan 2010 are considered to have been poorly evidenced at the time of the original imposition. Insufficient improvement of the evidence which provides for the continued use of the previous designation is being relied upon

The designations are considered to be poorly evidenced with no evidence provided as to the vulnerability of the landscape to minerals development, nor is any evidence provided that the existing ACMD's have protected the landscape from adverse effects or that the absence of this layer of protection would result in any significant adverse impact on the landscape.

The designations are considered to be outdated and as per the approach taken with regards to new ACMD and MRA designations, it is considered premature to designate these legacy areas without understanding their effectiveness or other supply and demand issues regarding minerals within the region.

With regards to the circumstances which are listed, the policy states that one of the exceptions will be for “minor expansion of an existing working”. In the interests of conciseness, it is considered that this provision should be quantified in order to provide clarity to developers.

In terms of the provision which discusses the mineral being of limited occurrence in Northern Ireland and there being no reasonable alternative source outside the Area of Constraint on Mineral Development. Further information is required on how development proposals for such development would be determined.

The policy states that in all such cases, the processing of material is unlikely to be permitted. No evidence is provided as to why processing would cause harm. The policy uses the terminology “unlikely”, which still leaves scope to permit processing, however no detail is provided in terms of the circumstances where the processing of mineral would be acceptable. The policy is considered to lack conciseness.

Given the paucity of information and lack of conciseness, the policy is considered to **fail soundness tests CE1 and CE2.**

5.6 Secondary Aggregates

Prior to consideration of the proposed restoration policy below, it is considered necessary to draw the Council’s attention to the role of secondary aggregates and the need for a policy with regards to the same.

There is a wide range of aggregates available in Northern Ireland for use in construction. Sources include crushed rock and processed sand and gravel. It is considered that the Council has overlooked an opportunity to provide local policy direction with respect to secondary aggregates. Secondary aggregates consist of the recycling of construction and demolition waste through crushing, screening and reuse. The employment of secondary aggregates can often take pressure off natural mineral resources.

As promoted within the SPPS, the planning system has a key role to play in facilitating a sustainable approach to minerals development, including sustaining sufficient local and regional supply levels and appropriate

restoration. The SPPS also acknowledges that *“the Sustainable Development Strategy advocates the greater use of recycled building materials in construction so as to reduce the depletion of natural resources and to limit transportation of such materials”*.

As far back as 2002, the Waste & Resources Action Programme (WRAP) Aggregates Programme, funded by DEFRA, was launched to help minimise the demand for primary minerals and aggregates through the promotion of the employment of recycled (secondary) aggregates.

It is considered prudent that the LDP includes a positive policy construct which seeks to promote the ‘secondary aggregate protocol’ (SAP). The policy should steer the industry towards making a positive contribution to the Sustainable Development Strategy by promoting the recycling of construction and demolition waste at sites where the capacity and infrastructure is already in place to accept and produce secondary aggregates. Ideally sites which already have established crushing equipment and screening plant will normally have the capacity and infrastructure requirements to accommodate, handle and produce secondary aggregates. Indeed, it is considered that most mineral operators should be encouraged to promote the production of secondary aggregates to supplement their outputs and reduce the pressure on the natural mineral reserves which sustain important value-added products.

It is considered that the omission of this policy within the LDP confirms that the subject has not been considered as part of the SEA/SA alternatives. Currently, it is considered that the DPS’s silence on this matter demonstrates the Council has failed to consider and promote a draft policy with respect to secondary aggregate use within the MEA Minerals Industry. In this regard, the lack of a policy seeking to provide local direction on secondary aggregates and consideration with the SEA/SA alternatives to the policy renders the DPS **unsound**.

5.7 **Policy MIN8- Restoration**

The proposed policy states that all applications for mineral development must be accompanied by restoration proposals and a management plan to ensure appropriate and sustainable ongoing use of the site subsequent to the cessation of extraction/ processing.

The policy states that restoration proposals should secure one or more of the following benefits.

- *Enhanced biodiversity.*
- *Provision for community open space or outdoor recreation.*
- *A tourism asset linked to the locality or the former mining activity.*

It is considered that the approach to what constitutes a beneficial afteruse at a site should not be specifically restricted in policy and should consider the potential for alternative uses that are equally suited to rural locations and the specific landforms and land quality that is peculiar to mineral sites. Preferred restoration use can vary upon a range of factors (a point acknowledged at Paragraph 7.4.40 of the DPS). For instance, there is evidence of mineral extraction sites in Northern Ireland having upgraded electric network connections, allowing for possibilities with regards to renewable energy production.

Restored sites could be suitable for a range of uses including livestock grazing, fodder crops, solar farm or other renewable energy sources. Due to the high elevations of many mineral operations, they are subject to wind speeds significantly above average. This makes these sites an optimum location for wind turbines, as evidenced by the efficiency of existing turbines at mineral development sites both within the Borough and across the region.

It is proposed that the Policy should reflect the full potential of restored mineral workings as the unique opportunity they present and not be restricted to tightly specified uses, some of which offer little or no economic benefit, when other options may be both economically and socially/environmentally beneficial, allowing for a more sustainable approach to mineral development sites. No evidence appears to be provided as to why the restoration of mineral development sites should seek to deliver one of the 3 benefits listed and why other afteruses would not be acceptable. Furthermore, no consideration of a policy which allows sites to be restored to other uses appears to have been considered within the SA/SEA.

The policy also states that a management plan should be submitted which addresses the following elements:

- *a programme of works linked to a timescale for completion of restoration (or setting out a phased approach for progressive restoration for larger schemes);*
- *site management arrangements during the process of restoration; and*
- *aftercare management arrangements once the restoration is complete.*

The above provisions are considered acceptable to our Clients and are considered to allow for a contemporary and sustainable approach to restoration to be undertaken.

The policy goes on to state that:

“Restoration proposals shall utilise materials from within the site and avoid the importation of materials, wherever practicable”.

It is welcomed that the policy acknowledges that it is not always practicable to source sufficient restoration material from within a site and as such, the requirement for importation may arise. Our Clients would reiterate this matter

and consider that the wording of any future policy with regards to minerals development should allow for the importation of materials, where necessary.

The policy states that:

“Council may require a financial guarantee in the form of a bond where there are legitimate concerns over an operator’s financial security, or where the progressive restoration of the site is not being implemented in line with previous planning conditions and/or a planning agreement”.

Our Clients support such a policy whereby restoration bonds will only be required where there are legitimate concerns over an operator’s financial security or where previous restoration has not been implemented. Our Clients take their role in ensuring the restoration of development sites is undertaken appropriately seriously. It is important that responsible operators are not required to provide restoration bonds for any development and our Clients would urge the Council to take the approach as set out in planning guidance in England, whereby bonds will only be required in exceptional circumstances⁵.

⁵ National Planning Practice Guidance, Paragraph: 048 Reference ID: 27-048-20140306, March 2014, DCLG

6.0 OTHER POLICIES CONTAINED WITHIN THE DPS

6.1 Policy RE1- Renewable Energy

Policy RE1 relates to renewable energy development, stating that outside of SCA's, proposals for renewable energy development together with any associated buildings and infrastructure will be permitted, where it accords with the criteria set out in the policy and the other policies of the LDP.

Quarry or associated mineral processing/ manufacturing sites can prove to be suitable locations for renewable energy developments. As such, any policy which supports renewable energy proposals are welcomed by our Clients, with renewable energy developments demonstrated to have been successfully implemented by a number of our Clients.

Given the unique character and characteristics of quarry developments and the specific energy requirement of associated mineral processing/ manufacturing sites, it is considered that the policy should be tailored to make explicit support for renewable energy development at existing sites. Similarly, the identification of renewable energy facilities as a potential after use to be incorporated within restoration proposals is also considered to be of merit with quarry sites often providing facilities for future energy production and employment generation.

6.2 Policy WMT3- Waste Disposal

Policies WMT1-5 set out the development strategy with regards to waste management across the plan period. Policy WMT3 relates to waste disposal and states that proposals will be supported where

“...it is suitably located within an active or worked out hard rock quarry, in a void left by mineral extraction, or it returns land that is despoiled, derelict or contaminated back into productive use”.

The restoration of quarry voids via infilling can provide important waste disposal facilities, as such, our Clients welcome such a policy. The policy is considered to reflect regional planning policy and the relevant tests of soundness.

As discussed at Section 5.6, it is considered that the Council has overlooked an opportunity to provide local policy direction with respect to secondary aggregates.

As promoted within the SPPS, the planning system has a key role to play in facilitating a sustainable approach to minerals development, including sustaining sufficient local and regional supply levels and appropriate restoration. The SPPS also acknowledges that

“the Sustainable Development Strategy advocates the greater use of recycled building materials in construction so as to reduce the depletion of natural resources and to limit transportation of such materials”.

It is considered prudent that the LDP includes a positive policy construct which seeks to promote the ‘secondary aggregate protocol’ (SAP). It is considered that the omission of any secondary aggregates policy within the LDP confirms that the subject has not been considered as part of the SEA/SA alternatives, rendering the DPS unsound.

6.3 Policy NAT5- Natural Heritage

Policy NAT5 relates to natural heritage and states that planning permission will only be granted for a development proposal that is not likely to result in the unacceptable adverse impact on, or damage to known habitats, species or features of natural heritage importance. The policy reflects the provisions of the SPPS and our Clients would encourage the council to take a balanced

approach with regards to mineral development, weighing up the need to protect the environment against the need for the mineral.

Each of our Clients have promoted biodiversity opportunities, as part of contemporary planning permissions and projects, at their existing extraction sites. However, these opportunities as concepts have not always been afforded rational and proportionate consideration by the consultees; leading to delay in the decision-making process. The LDP should provide certainty for the public, the minerals industry and the Council's planners in terms of balancing the economic, mitigation and need for the mineral; helping to move the planning system away from the de facto consultee led system of the recent past.

6.4 Policy ECD4- Economic Development in the Countryside

Policy ECD4 relates to economic development in the countryside and states that a proposal for economic development in the countryside will be permitted where it meets the General Policy and the specific criteria set out in the policy where this provides opportunity for rural enterprise.

No reference is made in the policy with respect to industry related to the minerals development. The value added manufacturing process generates significant economic benefits within the Borough. As detailed throughout this document, the manufacturing and other industries directly related to mineral extraction provide a significant contribution to the local economy, sustaining employment and generating expenditure in the local area.

Often due to the constrained nature of extraction sites, associated industries may be located away from these sites where there is improved transport links and other infrastructure. The proposed policy does not make any provision for such sites. These sites are of equal importance to those located at extraction sites and should therefore be provided for within the policy. Making suitable provision for this use will assist in supporting the continued sustainable growth

of the industry. The subject has not been considered as part of the SEA/SA alternatives, rendering the DPS unsound.

7.0 SUSTAINABILITY APPRAISAL INCORPORATING **STRATEGIC ENVIRONMENTAL ASSESSMENT REPORT**

The SPPS states that:

“while it is important that we respect the limits of our natural resources and ensure high level of protection and improvement of the quality of our environment, sustainable development does not prevent us from using and capitalising on such resources. An enduring successful economy will effectively use natural resources and contribute towards the protection of the environment”.

Our Clients are committed to sustainable mineral extraction and the function of the SA/SEA process in relation to emerging plans and policies (as well as the withdrawal/repeal of existing) is key to this process. Our Clients are committed to making a positive contribution to the SA/SEA process and sustain their mineral requirements for the entire plan period.

Regional planning guidance⁶ states that:

“A robust understanding of the baseline position is important in ensuring a sound evidence base for the plan. Baseline information can also help to identify sustainability problems which the plan should seek to address and also provides the basis for predicting the effects of different options for the plan”.

Paragraph 7.3 of the guidance confirms that:

“Baseline information consists mainly of indicators although both quantitative and qualitative information can be used...The level of detail should be sufficient to provide a basis for the understanding of the social, economic and

⁶ Development Plan Practice Note 4- Sustainability Appraisal incorporating Strategic Environmental Assessment, DFI, April 2015

environmental characteristics of the area likely to be affected by the draft plan and also how the area would evolve without the implementation of the plan”.

It is also confirmed in the guidance at Paragraph 3.3 that

“SA should help to improve the quality of the plan making process by:

- raising awareness of the social, economic and environmental impacts of the plan;*
- facilitating the identification and assessment of reasonable alternatives for the plan;*
- demonstrating that the plan is the most appropriate given the reasonable alternatives;*
- providing transparency in the decision-making process and facilitating public participation; and*
- facilitating the effective monitoring of implementation of the plan”.*

SA/SEA is critical to the LDP process. The content of the Council’s SA report is not considered to be accurate, for example, the baseline and evidential basis upon which the proposed options and mineral policies outlined in the DPS are based is not considered accurate and undervalue the economic importance of the minerals industry in the MEA Borough.

As described above, reliance cannot be made upon the AMS and that value-added processes which significantly affect the turnover of operators is not captured within the figures presented.

Therefore, the socio-economic and environmental profile of the plan area is inaccurate. The information utilised by the Council has been provided from a range of sources however as outlined earlier in this report, the data only provides a small snapshot of the economic importance of the industry. It also appears as though data previously supplied by the industry has failed to be

recognised within the evidence. Other aspects of the data provided appears to have been misinterpreted, as detailed earlier in the representation.

The result of inaccurate data and incorrect interpretation is that the baseline upon which the SA has been based is incorrect. The inaccurate understanding of the industry in turn provides an erroneous SA/SEA, conclusions and assessment of the DPS and ultimately a strategy that is unsound.

7.1 Mineral Development

Paragraph 3.4.11 of the SA/SEA contains the appraisal of the proposed Policy MIN1. A summary is provided below:

- This option has no effect on any of the social sustainability objectives.
- Significant positive impacts are identified for the economic sustainability objective but no other perceptible impacts on the economic objectives are predicted.
- This option has mixed impacts on the environmental sustainability objectives with significant positive impacts identified for the objective to protect physical resources and uses sustainably and minor positive impacts identified for the objectives to protect, manage and use water resources sustainably and to protect natural resources and enhance biodiversity.
- Minor negative impacts are identified in respect of active and sustainable travel, air quality, and landscape character as this type of development does not have alternative transport options and may still result in some deterioration of landscape character.
- The effect on the objective to reduce causes of and adapt to climate change is uncertain as this type of development can result in emissions, however having materials locally available can reduce overall transportation requirements.

- A neutral effect is predicted on the historic environment, as the policy will protect against unacceptable negative impacts.

It is considered that a number of the aspects considered in order to reach the above conclusions are unable to be adequately assessed due to a lack of evidence or inaccuracies or shortcomings on the evidence available.

For example, there is a paucity of information in the Evidence Base with regards to the economic impacts associated with the industry; future development aspirations; the vulnerability of the landscape to minerals development; and the effectiveness of existing landscapes in protecting landscapes. Without an accurate evidence base, the SA/SEA process is not considered to be adequate, as a result rendering the DPS unsound.

In terms of alternatives, the SA describes how the 3 options presented in the POP have been considered. Assessment previously only appears to have been carried out with respect to existing or expanded ACMD's (option 12A) or their removal (Option 12B). No assessment appears to have been carried out in terms an alternative whereby the existing designations are reviewed and amended (reduced) areas proposed.

Similarly, no assessment has been carried out with regards to paragraph 6.156 of the SPPS whereby an alternative approach may be to allow for the Council to identify areas as suitable for mineral development, despite resources in the district being of regional importance.

The SA is not considered to have assessed all reasonable alternatives to the proposed policy, rendering it inadequate.

7.2 Areas of Constraint on Minerals Development

Paragraph 3.4.13 of the SA/SEA contains the appraisal of the proposed Policy MIN4. Much of matters raised are dealt with earlier in this representation and

are therefore not repeated here. The summary of the SA with regards to Policy MIN1 are outlined below:

- This policy has a minor positive impact on the social sustainability objectives to improve health and wellbeing and to strengthen society but has no effect on housing.
- The policy has no effect on the majority of the economic sustainability objectives, although a minor positive impact is identified for the objective to enable sustainable economic growth. While this policy may constrain some minerals development, it protects areas which may have value for alternative, less impacting land uses.
- The policy has a positive relationship with around half of the environmental sustainability objectives, with positive impacts identified on protecting natural resources and biodiversity and the historic environment and cultural heritage. These raise to significant positive for protecting physical resources and maintaining and enhancing landscape character.
- Uncertain impacts are identified for protecting, managing and using water resources sustainably as the permitted exceptions may have an effect on this objective.
- Negligible impacts are recorded for the objectives to encourage active and sustainable travel, to improve air quality and to reduce causes of and adapt to climate change.

As described above, the proposed approach of designating ACMD's in line with legacy designations set out in the Larne Area Plan 2010 is considered to have been poorly evidenced at the time of the original imposition. Insufficient improvement of the evidence which provides for the continued use of the previous designation is being relied upon.

The assessment of the ACMD policy is considered to have been undertaken without accurate evidence.

This representation has however highlighted the lack of understanding in regard to the economic importance and the true “value” of the minerals industry within the Borough. For example, conclusions are reached with respect to the minor positive impact that the policy would have in terms of sustainable economic growth, however as described above, reliance cannot be made upon the AMS with value-added processes which significantly affects the turnover of operators not captured within the figures presented. Without accurately being able to understand the industry’s contribution, an accurate SA is not possible.

It is noted that the SA results in significant positive results for protecting physical resources and maintaining and enhancing landscape character. As described in this representation, the evidence base is void of information with regards to the vulnerability of the landscapes to minerals development or the effectiveness of the designations.

In terms of the consideration of alternatives, the SA makes reference to the 3 options presented within the POP, which were assessed in the SA Interim Scoping Report. These appear to be the only 3 alternative options assessed with regards to ACMD policy. Our Clients comments on the three options and their assessment within the SA were included within the previous submission, with it highlighted that the options were not considered to be accurately assessed.

The SA for the POP considered the removal of the legacy ACMD’s and the facilitation of minerals development entirely through the application of existing or amended policy. No assessment has been undertaken with regards to an alternative scenario whereby the extents of the legacy ACMD’s can be reviewed and modified to reflect only the areas most sensitive/vulnerable to minerals development. The previously assessed option is considered to lack the conciseness required in order to allow for an accurate assessment to be undertaken and the current SA is not considered to have assessed all reasonable alternatives.

7.3 Other Policies within the DPS

As highlighted throughout this representation a number of other policies and other matters contained within the DPS are not considered to have been appropriately assessed within the SA/SEA:

- No consideration/assessment of an alternative with respect to a positive policy construct which seeks to promote the SAP and the omission of any secondary aggregates policy within the LDP confirms that the subject has not been considered as part of the SEA/SA alternatives;
- No consideration/assessment of an alternative policy approach which allows mineral development sites to be restored to other uses other than those stated within the proposed policy appears to have been considered as part of the SA/SEA alternatives;
- No consideration/ assessment of an alternative with respect to a policy which relates to mineral-related development outside of quarries (e.g. manufacturing and processing sites) appears to have been considered as part of the SA/SEA alternatives;
- No consideration/ assessment of an alternative with respect to adopting a policy which identifies areas of the Borough as being suitable for minerals development;
- No consideration/ assessment of the potential economic effects associated with the sterilisation of mineral via the SCA policy or consideration/ assessment of a policy which allows minerals to be worked in an appropriate manner.

7.4 Conclusions

SA/SEA is critical to the Local Development Plan process. The content of the Council's SA, in particular the baseline on which the proposed mineral policies outlined in the DPS are grounded, is not accurate.

The Council has undervalued the contribution of the minerals industry in MEA and has failed to highlight the significant value that the value added processing of minerals and related manufacturing process bring to the local and regional economy. The Council has also failed to provide any evidence with regards to the implementation of ACMD's in terms of landscape vulnerability and the effectiveness of the historical designations.

As a result of the inadequacies of the evidence base, the SA/SEA for the policies presented within the DPS is considered to have been based on incorrect or inadequate data. Other evidence previously submitted by the Industry (including our Clients) appears not to have been utilised, with other data referenced in the DPS either inaccurate or has been misinterpreted.

The SA fails to identify and assess all reasonable alternatives with regards to the various issues around minerals development. Given the absence of a credible and robust baseline, the SA (and SEA) is considered to be erroneous. The plan is therefore considered to fail **Procedural Test P3**.

8.0 JOINED UP APPROACH

As detailed in Quarryplan's previous representation, it is considered that the Council should consider a joined-up approach with neighbouring Council's with respect to its proposed LDP on minerals.

Minerals can only be extracted where they are found. In many cases, the economic mineral deposit will be located across several Council areas. In other cases, some Council areas will have a shortage of a particular mineral and a wealth of another (i.e. Mid and East Antrim & Causeway Coast and Glens – shortage of economic sand and gravel quarries – a wealth of operational basalt and industrial grade limestone). Therefore, the needs of other Council's mineral requirements are required to be considered; indeed, the mineral requirement of the whole of Northern Ireland is a material consideration for the Council.

It was recommended in Quarryplan's previous representation that the most appropriate way to deal with these issues would be to introduce a Regional Aggregate Working Party, like those that have been in place in the English and Welsh regions since the 1970's, to consider both local and regional mineral source, supply and demand⁷.

It is acknowledged that the DPS references the regional Minerals Forum which has recently been established, involving representatives from local councils, DfE, DfI, and the minerals industry. This group has been tasked to gather the necessary evidence base to assess supply and demand and to inform LDPs.

Our Clients would encourage the Council to proactively participate and engage in the Forum in order that an understanding of regional mineral

⁷ As Provided for in the Department of Communities and Local Government 'Guidance' October 2014

source, supply and demand can be established at the earliest given opportunity.

We would also encourage the Council to re-engage with the limited number of companies operating within the Borough and improve its evidence base with regards to the matter in order to fully inform the SEA and the policies of the LDP. Quarryplan will endeavour to facilitate a timely and accurate response from all our Clients listed.

9.0 **SUMMARY AND CONCLUSIONS**

This representation has been prepared by Quarryplan Ltd on behalf of its Clients as detailed in Section 2, whom represent the largest operators, employers and producers of mineral in the Mid and East Antrim district.

This representation provides a response to the information contained within the DPS and its supporting background information. The main points of the representation are as follows:

- The evidence base upon which the DPS is based upon is not robust with the evidential base upon which the Council rely fails to identify and understand the value of the Minerals Industry to the local and regional economy and is therefore unsound;
- The proposed approach of designating ACMD's in line with legacy designations set out in the Larne Area Plan 2010 is considered to be unsound as the designations were poorly evidenced at the time of the original imposition. Insufficient improvement of the evidence which provides for the continued use of the previous designation is being relied upon;
- The proposed policy wording does not allow for the presumption in favour of sustainable minerals development outside of ACMD's/SCA's envisaged in the remainder of the DPS and supporting technical information;
- The scope of after uses as detailed within the Restoration Policy is considered too narrow and does not allow for other sustainable development opportunities peculiar to previous mineral workings to be realised;

- The Council has failed to utilise discretionary powers to identify areas as suitable for mineral development, despite resources in the district being of regional importance;
- The DPS fails to identify buffers around existing extraction sites where development will be resisted which has the potential to impact upon mineral development and conversely the potential to impact upon potential new sensitive receptors;
- Inadequate SA/SEA which is based upon a flawed and erroneous evidence base;
- The SA fails to consider all reasonable alternatives;
- The Council's failure to consider and promote a draft policy with respect to secondary aggregate use within MEA.

Appendix 1

DfE Mineral Returns Form



Department for the
Economy
www.economy-ni.gov.uk

Year 2017 (1 January 2017 – 31 December 2017)

1. Quarry Details

Name of Occupier	
Name of Quarry	
Site Address (including postcode)	
District Council Area	
Grid reference (if known)	
Business Office Address (including postcode)	
Telephone Number	
E-mail Address	

SIGNED.....DATE.....

NAME IN CAPITALS.....

POSITION IN COMPANY.....

2. **Output/Value NOTE :** please give average value per tonne before Tax, levy, transportation costs and profitability (i.e. the production cost)

Minerals extracted for the year 2017 (1 January 2017 – 31 December 2017)		
Type of Mineral	Quantity (Tonnes)	Average Value per tonne (£) (see note above)
Basalt and Igneous Rock (other than granite)		
Sandstone/Gritstone		
Limestone		
Sand and Gravel		
Chalk / Ulster White Limestone		
Fireclay		
Granite		
Rock Salt		
Others (please specify)		

If no minerals were extracted, please give reason.....

.....

3. Employee Details

Number of employees inside the pit or excavation	
Number of employees outside the pit or excavation (washing, dressing, grinding etc)	
Number of management and administration employees	

The following sections are not required by law but will provide important information on the quarry industry in Northern Ireland as a whole. DfE is working closely with District Councils in the progressing of Local Development Plans, (LDP's) and returns will greatly assist this process

4. Reserves

Information on the amount of material available at the site (reserves) can assist with planning future developments. If known, please indicate the anticipated year when the current know reserves will be depleted to the point the quarry will close.

	Tonnage	Anticipated closure date based on known reserves and current extraction rate.
Current permitted reserves		
Estimated additional resources		

5. Exports

What quantity of aggregate or other value added product have you exported in the last year.

	Material exported	Tonnage	Value
Republic of Ireland			
Great Britain			
Other			

6. Sales (Northern Ireland)

What quantity of aggregate or other product have you sold in the last year in each District Council Area?

District Council Area	Material sold	Tonnage	Value
Antrim & Newtownabbey			
Ards and North Down			
Armagh City, Banbridge & Craigavon			
Belfast City			
Causeway Coast & Glens			
Derry City & Strabane			
Fermanagh & Omagh			
Lisburn & Castlereagh			
Mid & East Antrim			
Mid Ulster			
Newry Mourne & Down			

7. Quarry status

What is the current status of your quarry? Please tick the relevant box below.

Active – in production	
Inactive – not currently worked but reserves still contained	
Inactive – Planning permission received but quarry not yet active	
Closed – Exhausted	

8. Recycled Aggregates

Does this site have a Waste Management Exemption Licence from NIEA to receive waste (Construction & Demolition Waste) for reprocessing as recycled aggregates?

<i>Please tick</i>	Yes		No	
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Quantity (tonnes) of waste accepted for reprocessing?	
Quantity (tonnes) recycled aggregates produced for end market?	
What is the disposal route for unsuitable material?	

9. Site Registration with Third Party Accredited Management Systems

ISO 9000	Y / N	OHSAS 18000	Y / N
ISO 14001	Y / N	BS 8555	Y / N
SAFE-T-CERT	Y / N	OTHERS	

10. Aggregate Imports

Please indicate the type of material you have imported in 2016 (if any), the quantity, the country you imported it from, the country of origin, and if you are an end-user of the material or a supplier.

Material	Quantity (tonnes)	Imported from

Appendix 2

Mullin Design Associates Landscape Review

Mid and East Antrim Borough Council
Consultation on Local Development Plan 2030 – Draft Plan Strategy

Consultation Response by MDA Chartered Landscape Architects on behalf of Quarryplan representing mineral operators in the Mid and East Antrim Borough.

28 Nov 2019

Purpose and scope

This submission is primarily concerned with aspects of the Local Development Plan 2030 – Draft Plan Strategy relating to Mineral Development, with specific consideration to landscape and visual related matters.

Author

This response has been prepared by [REDACTED] CMLI. [REDACTED] is Chartered Landscape Architect with over 25 years' experience studying, teaching and practicing in the sector. In addition to private design practice, for the past eight years [REDACTED] has been the Policy Consultant for the Landscape Institute Northern Ireland.

Consultation responses and reports prepared include:

- Sustainable Design Guide - Building on Tradition (2011)
- Creative Industries Inquiry - with presentation to Ministers (2012)
- Urban Stewardship and Design Manual (2012)
- Regional Development Strategy 10 year review (2012)
- DARD Inquiry on tree and plant disease (2013)
- Rural Development Programme (2013)
- Living Places – Urban Design Guide (2013)
- Strategic Planning Policy Statement (2014)
- Building a United Community Inquiry (2015)
- Strategic Planning Policy for 'Development in the Countryside' (2016)
- Response to Programme for Government (2017)
- Draft Healthy Places Charter (2018)
- Response to Regional Forestry Plans (2018)

Through his private practice work [REDACTED] has attended several public inquiries as expert witness and overseen more than 100 Landscape and Visual Impact Assessments. He was also a lead member in the team responsible for development and delivery of the 2015 Northern Ireland Regional Landscape Character Assessment (NIRLCA) of behalf of NIEA

Other relevant roles have included:-

Past Chair of the Landscape Institute Northern Ireland;
Chair of Northern Ireland Environment Link Planning and Land Matters Task Force; and
Member of the Strategic Design Group for Northern Ireland.

Introduction

Firstly it is encouraging that significant reference and recognition has been given throughout the Local Development Plan 2030 – Draft Plan Strategy to the importance of Mid and East Antrim's valuable and unique landscapes.

In addition it is welcome that within the councils jurisdiction endeavour has been made to update the Landscape Character Baseline.

As Landscape professionals we believe that a 'Landscape led approach' through the utilization of Landscape Character Assessment (LCA) is essential in order to reconcile the complexities and often conflicting aspects of a workable modern development plan.

This response does not attempt to offer comment on every landscape aspect within the Local Development Plan 2030 – Draft Plan Strategy, but simply highlights some key gaps and areas of concern which we believe could result in the plan being based upon an inadequate evidence base, therefore resulting in an inaccurate Sustainability Appraisal/ Strategic Environmental Assessment (SA/SEA).

Landscape Character Assessment

It is widely accepted within the professional landscape sector that the NILCA2000 has become somewhat out of date (being almost 20 years old), indeed it is this recognition which led NIEA to prepare the NI Regional Landscape Character Assessment in 2015.

<https://www.daera-ni.gov.uk/consultations/northern-ireland-regional-landscape-character-assessment>

In addition to the above, Mid and East Antrim have recognised the need for an up-to-date local level landscape character assessment to inform the forthcoming Development Plan and have undertaken a borough wide assessment within Technical Supplement 10 Appendix A – Landscape Character Assessment.

On review of this document it is considered very thorough, with excellent background and all relevant landscape policy referenced. Mid and East Antrim should be commended for it and it offers an excellent example which other Councils could follow.

Whilst it is welcome that the council have endeavoured to update the Landscape Character Areas within their jurisdiction, it is not entirely clear how the new 'Candidate Sensitive Landscape Areas (CSLAs)' were selected and defined.

It is also of concern that the process of identifying new 'Special Countryside Areas' weakens the AONB designation as it suggests in simple terms that some portions of the AONB landscape are more important than others.

Landscape Character Assessment does not in itself place value judgements on landscape sensitivity relative to a particular development typology, but simply it is designed to form a foundation or 'baseline' from which detailed 'Sensitivity and Capacity Studies' can be prepared. It is Sensitivity and/or Capacity studies which then inform the Development plan process.

Mid and East Antrim have in part recognised the need to examine pressures from specific development typologies as demonstrated with Appendix B Development Pressure Analysis

Within this paper they have addressed 3 development typologies, namely:- Wind, Solar and Residential.

Pressure from mineral development (the focus of this response) has also been examined within the draft development plan under Technical Supplement 8 Minerals Development.

However whilst it has been addressed in some detail, it remains reliant on Areas of Constraint on Mineral Development (ACMD) largely established via the Larne Area Plan 2010. As discussed in the main representation, the proposed approach of designating ACMD's in line with legacy designations set out in the Larne Area Plan 2010 is considered to be unsound as the designations were poorly evidenced at the time of the original imposition. Insufficient improvement of the evidence which provides for the continued use of the previous designation is being relied upon.

In addition having gone through the onerous process as set out within Appendix B Development Pressure Analysis of considering pressure on the landscape from different development typologies has the Council has then failed to reach conclusions regarding each individual Landscape Character Areas sensitivity and capacity.

Indeed within Technical Supplement 10 Appendix A – Landscape Character Assessment – Annex 3: Assessment of Landscape Sensitivity to Change definition for sensitivity have been provided, however these have not been applied to each landscape character area, therefore falling short of committing to each landscapes considered sensitivity.

We believe it is important that the council establish and commit to levels of value / sensitivity - High Medium and Low for particular landscape character areas.

Conclusion

In summary, it is welcome that within the councils jurisdiction endeavour has been made to update the Landscape Character Baseline however there needs to be clarity around the sensitivity ratings for each LCA in relation to separate types of development and this needs to be consistent throughout the Development Plan - i.e Either Areas of Constraint are established for each type of development type or Landscape Sensitivity rating are used to guide appropriateness of any type of development in a particular landscape.

Yours faithfully

■■■■■ BA(Hons) CMLI
Chartered Landscape Architect
Practice Partner