

Sinead McEvoy

From: Chris Tinsley [REDACTED]
Sent: 18 May 2020 15:38
To: DevelopmentPlan@midulstercouncil.org
Subject: LDP Re-Consultation Correspondence
Attachments: QP Correspondence.pdf

Importance: High

Dear Sir/Madam

Further to the letters received from Mid Ulster District Council (MUDC) dated 12th March 2020 in relation to the Re-Consultation on Local Development Plan 2030- Draft Plan Strategy and accompanying Sustainability Appraisal incorporating Strategic Environmental Assessment Report, please find enclosed correspondence from Quarryplan confirming that our previous joint and individual representations may be considered as our Clients' representations to the DPS.

Please see attached for reference, with hard copy to follow in the post.

If you have any queries please don't hesitate to let me know,

Regards
Chris

Chris Tinsley MRTPI
Senior Town Planning Consultant
Quarryplan Limited
10 Saintfield Road
Crossgar
BT30 9HY



Elaine Mullin

From: Chris Tinsley <[REDACTED]>
Sent: 19 April 2019 08:11
To: DevelopmentPlan@midulstercouncil.org
Subject: MUDC LDP Draft Plan Strategy- Campbell Contracts Representation
Attachments: Campbell Contracts Representation ISSUE.pdf; Representation-Form.pdf

Importance: High

Follow Up Flag: Follow up

Flag Status: Flagged

Dear Sir/ Madam

Please find enclosed representation to MUDC Local Development Plan 2030- Draft Plan Strategy, made on behalf of Campbell Contracts.

If you have any queries, please do not hesitate to contact me.

Regards
Chris

Chris Tinsley MRTPI
Senior Town Planning Consultant
Quarryplan Limited
10 Saintfield Road
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BT30 9HY
T: [REDACTED]
Mob: [REDACTED]



Submission of a Representation to Mid Ulster District Council Local Development Plan 2030 - Draft Plan Strategy



Comhairle Ceantair
Lár Uladh
Mid Ulster
District Council

Local Development Plan
Representation Form
Draft Plan Strategy

Ref:
Date Received:
(For official use only)

Name of the Development Plan Document (DPD) to which this representation relates

MID ULSTER DC DRAFT PLAN STRATEGY

Representations must be submitted by 4pm on 19th April 2019 to:

Mid Ulster District Council Planning Department
50 Ballyronan Road
Magherafelt
BT45 6EN

Or by email to developmentplan@midulstercouncil.org

Please complete separate form for each representation.



SECTION A

1. Personal Details

Title

First Name

Last Name

Job Title
(where relevant)

Organisation
(where relevant)

2. Agent Details (if applicable)

Address Line 1	<input type="text" value="C/O AGENT"/>	<input type="text" value="QUARRYPLAN LTD"/>
Line 2		<input type="text" value="10 SAINTFIELD ROAD"/>
Line 3		<input type="text" value="CROSSGAR"/>
Line 4		<input type="text" value="CO. DOWN"/>
Post Code	<input type="text"/>	<input type="text" value="BT30 9HY"/>
Telephone Number	<input type="text"/>	<input type="text" value="REDACTED"/>
E-mail Address	<input type="text" value="REDACTED"/>	

SECTION B

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

3. To which part of the DPD does your representation relate?

- (i) Paragraph
- (ii) Objective
- (iii) Growth Strategy/
Spatial Planning Framework
- (iv) Policy
- (v) Proposals Map
- (vi) Site Location

4(a). Do you consider the development plan document (DPD) is:

Sound Unsound

4(b). If you consider the DPD to be unsound, please identify which test(s) of soundness your representation relates, having regard to Development Plan Practice Note 6 (available on the Planning Portal Website at https://www.planningni.gov.uk/index/advice/practice-notes/development_plan_practice_note_06_soundness_version_2_may_2017_-2a.pdf.pdf).

Soundness Test No.

TESTS P3; CE1 AND CE2

5. Please give details of why you consider the DPD to be unsound having regard to the test(s) you have identified above. Please be as precise as possible.

If you consider the DPD to be sound and wish to support the DPD, please set out your comments below:

SEE ACCOMPANYING LETTER

(If not submitting online and additional space is required, please continue on a separate sheet)

6. If you consider the DPD to be unsound, please provide details of what change(s) you consider necessary to make the DPD sound.

Please note your representation should be submitted in full and cover succinctly all the information, evidence, and any supporting information necessary to support/justify your submission. There will not be a subsequent opportunity to make a further submission based on your original representation. After this stage, further submissions will only be at the request of the independent examiner, based on the matters and issues he/she identifies at independent examination.

SEE ACCOMPANYING LETTER

(If not submitting online and additional space is required, please continue on a separate sheet)

7. If you are seeking a change to the DPD, please indicate if you would like your representation to be dealt with by:

Written Representation

Oral Hearing

Please note that the Department will expect the independent examiner to give the same careful consideration to written representations as to those representations dealt with by oral hearing.

Signature:

Date:

17TH APRIL 2019

File ref: CST/MUDC/DraftPlanStrategy/CampbellContracts



Quarryplan Limited

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Crossgar
Downpatrick
Co. Down
BT30 9HY

T: [REDACTED]
E: info@quarryplan.co.uk
W: www.quarryplan.com

Mid Ulster District Council
Planning Department
50 Ballyronan Road
Magherafelt
BT45 6EN

19th April 2019

Via email: developmentplan@midulstercouncil.org

Dear Sir/ Madam

Re: Campbell Contracts Ltd representation to Mid Ulster Local Development Plan 2030- Draft Plan Strategy

Further to the joint representation made on behalf of a consortium of mineral operators within Mid Ulster, of which Campbell Contracts Ltd were a contributor, Quarryplan Ltd is instructed by its Client, Campbell Contracts Ltd ('Campbell Contracts'), to prepare and submit an individual representation to the Draft Plan Strategy (DPS) which is currently the subject of a public consultation. For the avoidance of doubt and to streamline individual submissions we will not reiterate the points made in the joint submission, however, it is confirmed that the points made in the submission are the views of the Campbell Contracts and should be recognised as such.

Background

Campbells contracts are a member of the MPANI and their current extraction operational base is located at Letterbailey, Co. Fermanagh where they have been extracting sand and gravel for over 30 years, however, the sand and gravel resource is almost worked out and therefore permission was sought and granted for the working of the underlying bedrock.

Being located adjacent to the Council boundary the Company have historically operated sand and gravel in what is now Mid Ulster and own resources within the Council area. Our Client's existing sand and gravel resources are finite and there are limited sand & gravel deposits in the Fermanagh area.

The Company has a continued requirement for sand and gravel to supply a full product range of products and without replenishing their existing reserves they will endure significant financial difficulties and will result in supply shortfalls in the future for the cross-council border market place. The alternative is for the same material to be transported substantial distances, which inevitably leads to cost and associated environmental implications.

Campbell Contracts have been a sand and gravel producer for over 30 years with employees directly dependent on Campbell Contracts being able to remain in business and an inability to continue as a sand and gravel producer would seriously affect the current business model and rationalisation would be inevitable.

Mineral Reserve

Campbell Contracts work sand and gravel and the underlying bedrock from its quarry site at Letterbailey, Tempo, Co. Fermanagh. As detailed in the accompanying table, the site has an annual extraction rate of c. 120,000 tonnes of hard rock and c. 33,000 tonnes of sand and gravel per annum. The data provided shows that the remaining reserve of sand and gravel will only be sufficient to meet demand over the next 3-4 years and as such, additional resource will be required in order to sustain the existing business.

In order to meet the demand for sand and gravel, the Company owns some 14Ha of mineral bearing lands in an area historically recognised as important to the mineral industry (see attached plan), indeed the immediate surroundings provided important resources to the Finlay Concrete Products Operation near Ballygawley, that ultimately has borne the multinational SRS Finlay.

Based upon site investigations to date, the site is anticipated to have the potential to provide up to 2 million tonnes of resource. It is noted within the Preferred Options Paper- Public Consultation Report Update Evidence Paper, (January 2019) that reference is made to the site, being referred to in a table as 'land Banks, still subject to Planning Permission being granted', It is welcomed that this site is included within the Council's land bank provision.

Economic Contribution

As detailed in the accompanying table, Campbell Contracts provides employment for 97 people, with an annual wage bill of £2.01 million pounds. The company has a turnover of some £7.5 million. The proposed working of the mineral at the site at Knockmany Road, Augher will provide local employment opportunities and encourage economic growth in the area. The site is considered to have a potential yield of c. 2million tonnes of sand and gravel resource, which will sustain existing manufacturing jobs at the business's existing site at Tempo.

As demonstrated in the joint representation, the evidence base presented by the Council which identifies the contribution of the industry to district grossly undervalues the contribution/value of the industry. The policies contained within the plan are therefore not based upon a robust evidence base and as such, the plan is considered to fail to comply with Soundness Test CE2.

Proposed Mineral Policies

Policy MIN 2 states that:

"In Areas of Constraint on Mineral development ('ACMD') the extraction and processing of hard rock and aggregates will conflict with the Plan...elsewhere, extraction and processing of hard rock and aggregates will conform with the Plan, subject to environmental and transportation considerations".

Our client's site at Knockmany Road is located within a proposed ACMD designation. As detailed within the joint response, our client is opposed to the designations of ACMD's until such times as the Council has a robust evidence upon which to base any future designations upon. As detailed in the joint response, the existing evidence base is inadequate.

The impact of excluding the site from the proposed ACMD designation does not appear to have been assessed within the Council's evidence base. Despite the site being known to the Council and indeed, referenced within the landbank, no evidence has been provided with regards to the sensitivity of the location or the particular vulnerability of the landscape to proposed sand and gravel extraction. No alternatives have been assessed within the Council's Sustainability Appraisal/ Strategic Environmental Assessment with regards to excluding the site from the ACMD designation.

The extent of the ACMD's appears to rely upon the Council's Landscape Character Assessment Reports (LCAR's). In the MDA Review contained within the joint representation describes how a 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 these Sensitivity and/or Capacity studies which then inform the Development plan process. The LCAR's prepared by the Council have failed to assess the existing landscape in terms of its capacity to accommodate future minerals development. Any assumption that the landscape cannot accommodate future development is based upon little expert assessment. The proposed designations of ACMD's without supporting evidence which demonstrates that the designations would not unfairly stifle the industry is considered to be unsound.

As outlined separately within the joint submission, Campbell Contracts have instructed Quarryplan to emphasise their concerns regarding the contradictory wording of the policy which indicates that such development will conform with the plan and therefore a presumption in favour of mineral development exists, whilst setting a higher bar than is prescribed in the SPPS which seeks a balanced approach to mineral decisions whereas the policy introduces the requirement for a precautionary approach.

This approach is unjustified and no assessment has been provided as to the introduction and why the Policy should run contrary to the SPPS.

Furthermore, the introduction of the term "significant biodiversity loss" under MIN 2a) has no basis or definition in guidance and is considered will add confusion rather than clarifying the existing difficulties encountered in interpretation of PPS2 and in particular NH5 policies. The Local Development Plan Strategy provides an opportunity to provide clarity of interpretation and the introduction undefined tests without justification or assessment within the supporting SA/SEA is unsound.

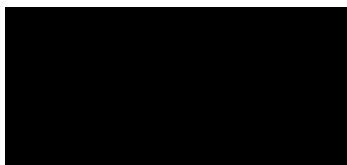
As a result, the policy is considered to fail to comply with Soundness Tests CE1 and CE2.

To conclude further consideration of the true value / contribution to the Mid Ulster Economy by the Council is encouraged before moving on to the next stage, given that the figure of £13.2M quoted is so far removed from the reality that it cannot reasonably be relied upon as being evidentially sound. Upon establishing an accurate picture regarding Value / Contribution of the Mineral Industry within Mid Ulster and the relationship of the resource within the Mid Ulster District to existing businesses located in other Council Areas, MUDC are encouraged to consider the economic impacts of the proposed designations contained within the DPS. In the particular case of Campbell's, assessment of the economic and landscape Sensitivity and Capacity studies associated with the working of the sand and gravel resource at the site at Knockmany Road are required.

For the reasons set out within this individual representation and detailed within the joint representation, submitted under sperate cover, our clients consider the plan to be **unsound**, based upon its failure to comply with a number of the soundness tests, specifically Tests P3, CE1 and CE2.

I trust that the above is acceptable, however, if you wish to discuss any of the same please do not hesitate to contact me.

Yours sincerely,



Chris Tinsley MRTPI
Senior Town Planning Consultant
Enc



Site Address	Operator Name & HQ	Aggregate Extracted since commencement	Yearly Extraction rate	Remaining Reserves	Demand up until 2030 (2019-30)	Time remaining on Existing Planning	Extension Potential	Do You intend to expand this site before 2030
Sand and Gravel Resource, Knockmany Road, Augher, Co. Tyrone	Campbell Contracts Ltd, 100 Drummackan Road, Coolcran, Tempo	None - mineral landbank	100,000tpa	Approx 2 million tonnes	100-150,000tpa	Not applicable	Yes deposit required to be extracted.	Yes.
Campbell's Quarry, Letterbailey, Tempo	Campbell Contracts Ltd, 100 Drummackan Road, Coolcran, Tempo	482,167 Tonnes	120,000 Tonnes per year from March 2017 to March 2019	at least 1 million tonnes	150000 tonnes per year as production increasing annually	Planning passed from Sept 2010 until Sept 2035 - 16 years remaining	scope to expand	Yes - scope for expansion which would improve the visual impact of the rock quarry after extraction.
Campbell's Quarry, Letterbailey, Tempo	Campbell Contracts Ltd, 100 Drummackan Road, Coolcran, Tempo	177,369 Tonnes	33,000 Tonnes Per year from March 2017 to March 2019	120,000 Tonnes Reserves figures revised due to investment in new washing plant that minimises waste.	35000 tonnes per year – production increased due to demand for sand from concrete producers	Planning passed from Sept 2010 until Sept 2035 - 16 years remaining	Limited scope for sand and gravel expansion in area	Yes - however we have not yet identified a suitable area for development in the vicinity of the current sand and gravel quarry

Other Info

Turnover: £7,500,000

No. of staff employed: 85 Total (Quarry) 12






Annual Wage Bill: £2,013,000

Annual Rates: £7913.80

Signed: [Redacted]
On behalf of: Campbell Contracts
Date: 16/4/2019

Notes:

Legend

-  Campbells Site
-  Ownership
-  ROMPS Sites
-  Mid Ulster
-  Boundary



Contains OS Data © Crown
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Title: Campbells Contracts
Mineral Resource Mid Ulster

Scale: 1:50,000 @A3

Dwg. No.:CC01

Drawn By:
APS

Date:
02/02/2017

